



AGENDA FOR THE CANTERBURY BANKSTOWN LOCAL PLANNING PANEL MEETING

7 March 2022 - 6.00pm

ORDER OF BUSINESS

ORDER OF BUSINESS

APOLOGIES AND DECLARATIONS

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

DARANI / BANKSTOWN WARD

- | | | |
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| 1 | DA-969-2021
Public domain improvement works to Appian Way and the interface of the WSU
Bankstown Campus and Paul Keating Park | 3 |
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BURA / BASS HILL

- | | | |
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| 2 | DA-539/2021 - 1A Alcoomie Street, Villawood
Construction of a new Community Centre comprised of three separate buildings
connected via large interlocking awnings adjacent a central external courtyard,
associated landscape works and associated works | 35 |
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DARANI / BANKSTOWN WARD

- | | | |
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| 3 | Application to Amend Bankstown Local Environmental Plan 2015: 1 and 1A
North Terrace, Bankstown | 75 |
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Canterbury Bankstown Local Planning Panel - 07 March 2022

ITEM 1	DA-969-2021
	Public domain improvement works to Appian Way and the interface of the WSU Bankstown Campus and Paul Keating Park
FILE	DA-969/2021 – Darani / Bankstown
ZONING	Zone B4 Mixed Use Zone RE1 Public Recreation
DATE OF LODGEMENT	29 November 2021
APPLICANT	Walker Bankstown Developments Pty Limited
OWNERS	City of Canterbury Bankstown Council
ESTIMATED VALUE	\$4,128,748.00
AUTHOR	City Development

REPORT

This matter is reported to the Canterbury-Bankstown Local Planning Panel for determination (per the Minister for Planning Direction – 23 February 2018) as the land on which the development is proposed is owned by Canterbury-Bankstown Council.

Development Application No. DA-969/2021 proposes public domain improvement works to the Appian Way and the interface of the Western Sydney University Bankstown City Campus and Paul Keating Park. This includes the construction of footpath upgrades, removal of public vehicle access and parking in the Appian Way, provision of pick-up and drop-off bays to Rickard Road and the installation of street furniture, landscaping, waste collection points and stormwater and civil works.

The works proposed under this Development Application are being undertaken in accordance with a Voluntary Planning Agreement (VPA) that applies in association with the approved State Significant Development for the Western Sydney University Bankstown City Campus (SSD 18- 9831). The terms of the VPA are discussed in more detail later in this report.

DA-969/2021 has been assessed in accordance with the provisions of Section 4.15(1) of the *Environmental Planning and Assessment Act 1979*, requiring amongst other things, an assessment against State Environmental Planning Policy No 55 – Remediation of Land, State Environmental Planning Policy (Infrastructure) 2007, State Environmental Planning Policy (Vegetation in Non-Rural areas) 2017, Bankstown Local Environmental Plan 2015, Draft Canterbury Bankstown Local Environmental Plan 2020 and the Bankstown Development Control Plan 2015.

The application was advertised, and neighbour notified for a period of twenty-one (21) days from 15 December 2021 to 27 January 2022 (note the period between 20 December and 10 January is excluded from the notification period). No submissions have been received at the time of preparing this report.

The proposed development provides for the planned and appropriate delivery of public domain improvements within the northern Central Business District of Bankstown and is recommended for approval subject to conditions (see Attachment B).

POLICY IMPACT

This matter has no direct policy implications.

FINANCIAL IMPACT

This matter has no direct financial implications.

RECOMMENDATION

It is recommended that the Development Application No DA-969/2021 be approved, subject to the attached conditions.

ATTACHMENTS

- A. Assessment Report
- B. Conditions of Consent

DA-969/2021 ASSESSMENT REPORT

SITE & LOCALITY DESCRIPTION

The proposed development is located at the centre of the Bankstown Central Business District (CBD), within the Northern CBD Core of the Civic Centre. The development site generally encompasses a stretch of land (75 Rickard Road) that is referred to as part of The Appian Way, and takes in parts of 66 Rickard Road, 74 Rickard Road and 375 Chapel Road. It includes part of Paul Keating Park, and a portion of the Western Sydney University Bankstown City Campus (see figure 1).

The properties subject to the domain improvement works form an irregular shape and are zoned B4 Mixed Use and zoned RE1 Public Recreation. Portions of the land comprise of split land use zones, and in parts, consist of both B4 Mixed Use and RE1 Public Recreation that is classified as operational public land with no special restrictions other than those that may apply to any piece of land (see figure 2).

The land uses in the vicinity of the site are varied and consist of a mix of retail, commercial and civic uses as described below:

- East
 - The Bankstown Civic Tower adjoins the site on the eastern boundary, and comprises a mixture of uses including commercial offices, the Canterbury-Bankstown Council administration and customer service centre, Legal Aid NSW, and the Bankstown Community Services Centre. This building is 13 storeys in height.
 - Thurlow Fisher House also adjoins the land on the eastern boundary and is located south of the Bankstown Civic Tower. This building contains a range of commercial and retail uses, including the Thurlow Fisher law firm. This building is 2 storeys in height.
 - A Hoyts Cinema is located east of the site, beyond Thurlow Fisher House. This building is approximately five storeys in height.
- West
 - Adjoining the site on the western boundary is Paul Keating Park, which is a public park with an area of approximately 1.225ha. The park contains open space and ancillary play equipment. The Canterbury-Bankstown Council Chambers (a heritage item) is located beyond Paul Keating Park to the west and does not have any direct physical or spatial relationship with the area of works proposed under DA-969/2021.
 - The Western Sydney University Bankstown Campus (currently under construction) is located immediately west of the site. The approved building is 19 storeys in height and is anticipated to accommodate approximately 2,000 students and 250 staff.

- The Bankstown Library and Knowledge Centre (BLaKC) is located beyond the WSU Campus, further to the west of the site, and consists of a 3-level building providing a library, public theatre, conference and exhibition spaces, and a cafe.
- South
 - Bankstown Central and the Bankstown Compass Centre and Mall (retail and commercial buildings) are approximately 400m to the south and south-east of the site.
- North
 - Rickard Road, a regional road, is to the north of the site and is sleeved by a mix of residential apartment buildings with ground floor commercial uses.

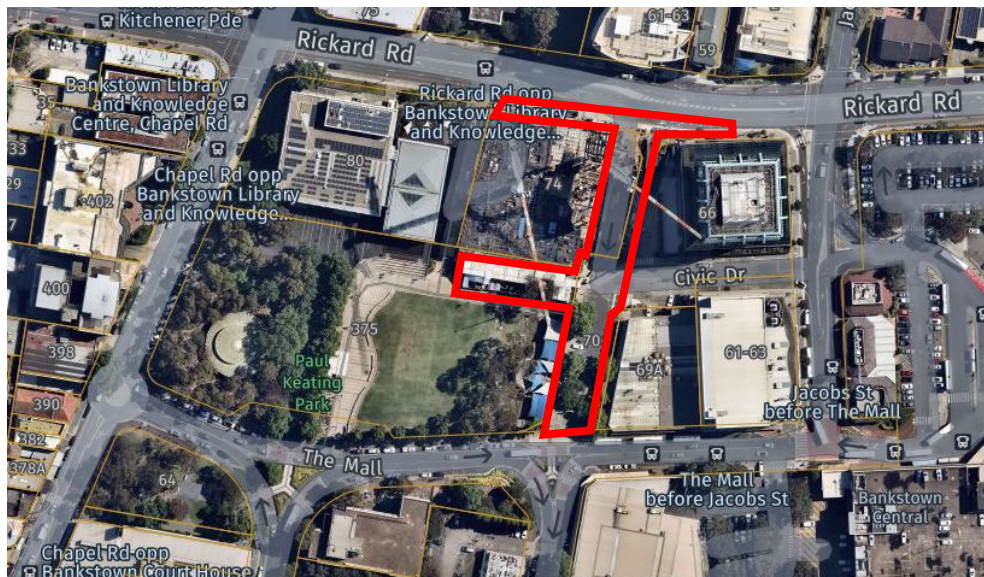


Figure 1: Aerial image of the area of work (in red) in the surrounding local area. **Source:** NearMaps 2022 – Image captured, 23 January 2022.



Figure 2: Zoning Map – Bankstown Local Environmental Plan 2015.

EXISTING ARRANGEMENT

The section of The Appian Way that is the subject of DA-969/2021 currently accommodates a number of shared uses, including vehicle access from Rickard Road and entry and exit from Civic Drive, public car parking and walkway and footpath links that provide pedestrian access to Paul Keating Park, the Bankstown Library and Knowledge Centre, and surrounding commercial areas via The Mall.

A total of 38 car parking spaces are located in front of Civic Tower and the areas in proximity to Thurlow Fisher House and Paul Keating Park. These car parking spaces are accessed from a deceleration lane off Rickard Road or Civic Drive (see figures 4 and 5).

The existing public domain area is provided to the east of existing children's play equipment at Paul Keating Park and consists of a tree-lined walkway to The Mall, a small outdoor covered area used for additional seating by a café, and provision of 4 public bench seats (see figure 3).



Figure 3: Street view of the public domain area looking north from The Mall pedestrian crossing. **Source:** Google Street View 2022 – Image captured, 23 January 2022.



Figure 4: Street view of the Appian Way looking south from Rickard Road. **Source:** Google Street View 2022 – Image captured, 23 January 2022.

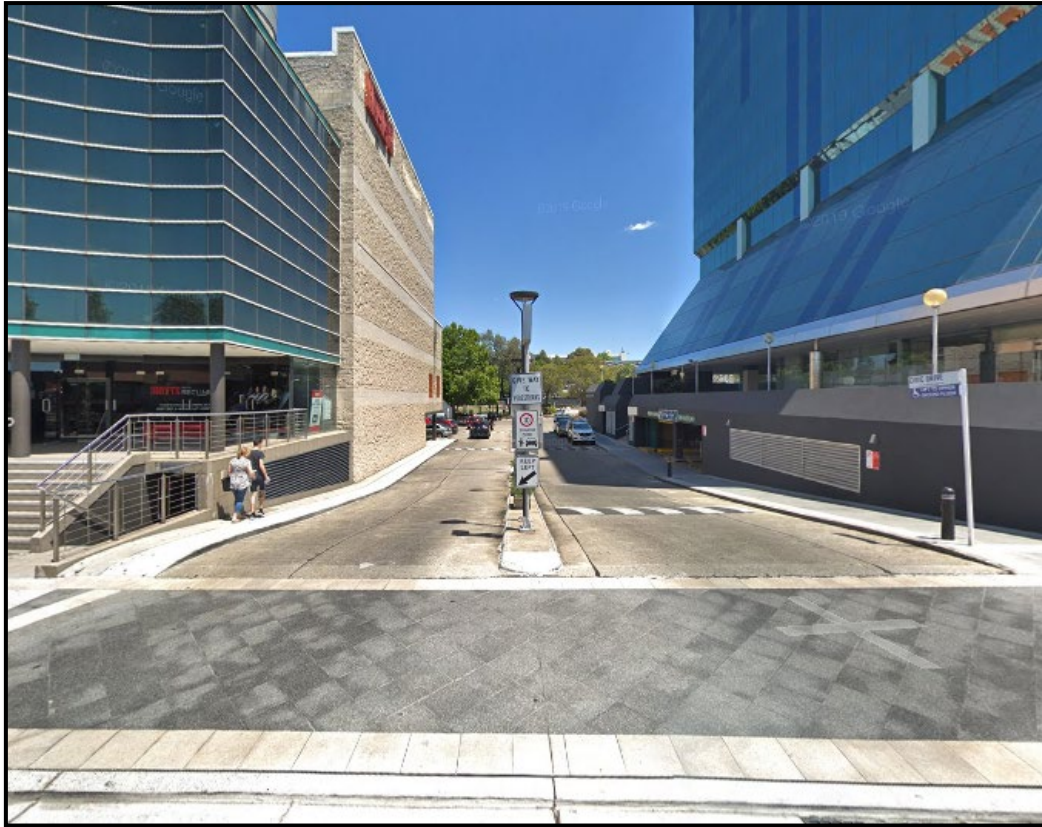


Figure 5: Street view of Civic Drive looking west from Jacobs Street Source: Google Street View 2022 – Image captured, 23 January 2022.

BACKGROUND TO THE DEVELOPMENT APPLICATION

The Western Sydney University (WSU) Bankstown Campus was approved under a State Significant Development DA (SSD DA) by the Minister for Planning and Public Spaces on 18 February 2021. The development was classified as an SSD DA due to the projects Capital Investment Value exceeding \$30 million.

As part of SS DA conditions of approval, public domain works beyond the approval scope were required to be delivered through a Planning Agreement between the applicant (Walker) and Council. A draft Planning Agreement was publicly exhibited from 24 March to 26 April 2021 and included a detailed concept design showing the extent of new public domain works including the removal of existing car parking spaces in The Appian Way to provide a high quality pedestrian environment. The detailed concept design, including the removal of car parking spaces, was reviewed and supported by Council Staff and it was resolved at the Council Meeting on 25 May 2021 to enter into the planning agreement. The planning agreement includes the requirement for Walker to pay \$2 million to Council for stormwater infrastructure upgrade works and approximately \$1.8 million towards the provision of new car parking elsewhere in the Bankstown CBD.

The improvement works to the public domain that are subject to this development application delivers part of the vision sought by Council through the Bankstown Masterplan, Bankstown Complete Streets CBD Transport and Place Plan and Paul Keating Park Masterplan. These planning documents seek a focus on pedestrians and active walkable connectivity to transport infrastructure with the shift of focus away from vehicles in the CBD and focus on the Bankstown railway and future metro station to be built by 2024.

The Bankstown Masterplan, adopted 28 September 2021, develops mechanisms to improve the quality and sustainability of the CBD and implements actions to accommodate well planned growth that is pedestrian friendly, delivers lively places in the day and night that contribute to a sense of safety and provides jobs well located around community services and infrastructure. The sought upgrades to the public domain in the Civic Centre assists to deliver these visions and improves pedestrian integration outcomes with the (WSU) Bankstown Campus, Paul Keating Park and surrounding CBD environment.

The Complete Streets 2019 strategy provides action plans for movement systems across the CBD and intends the Appian Way to become pedestrianised as a series of shared zones. The public domain works and removal of public car parking assist to reduce traffic impacts and encourages the use of public transport in Bankstown CBD, rather than accommodating car parking.

The Paul Keating Master Plan, adopted 8 December 2020, also intends the area to develop beyond an environment of vehicular circulation, to a pedestrian precinct that prioritises pedestrian circulation and open space. The plan was recognised for delivering a strategic response to Bankstown CBD's rapid growth over the next 20 years, offering a revitalised green space that unites existing and proposed public amenity and infrastructure.

With review of the strategic frameworks of such strategies, the development implements the the requirements of the VPA and the Resolutions of Council.



Figure 6: Illustration of the WSU Bankstown Campus from Paul Keating Park, Civic Tower is located to the east and separated by The Appian Way. Source: Assessment Report, published by the NSW Department of Planning, Industry and Environment.

PROPOSED ARRANGEMENT

DA-969/2021 proposes the following works throughout The Appian Way and at the interface of the Western Sydney University Bankstown City Campus and Paul Keating Park:

- Removal of public vehicle access and car parking to the Appian Way (to make it a pedestrian and bicycle priority zone).
- Conversion of the existing deceleration lane on Rickard Road to a drop-off and pick-up area.
- Removal of the awning structure in the Appian Way.
- Construction of footpath upgrades and installation of new paving throughout the public domain areas. This will include minor earthworks to adjust levels across the site.

- Installation of public seating, street furniture, wayfinding signage, waste collection bins and additional bicycle spaces.
- Installation of moveable bollards to restrict public vehicular access to Appian Way from Rickard Road.
- Installation of landscaping works, including ground level tree plantings and walkway landscaping.
- Construction of stormwater management works including drainage culverts and pits to allow surface drainage across the site.



Figure 7: Scope of works plan (shown in blue) illustrating area of works subject to the development application.



Figure 8: Site Plan illustrating proposed works subject to the development application.

SECTION 4.15 ASSESSMENT

DA-969/2021 has been assessed pursuant to section 4.15(1) of the *Environmental Planning and Assessment Act 1979*.

Statutory Considerations

When determining this application, the relevant matters listed in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* must be considered. In this regard, the following environmental planning instruments and development control plans are relevant:

- *State Environmental Planning Policy No 55 – Remediation of Land*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *Bankstown Local Environmental Plan 2015*
- *Draft Consolidated Canterbury Bankstown Local Environmental Plan 2020*
- *Bankstown Development Control Plan 2015*

Environmental planning instruments [section 4.15(1)(a)(i)]**State Environmental Planning Policy No 55 – Remediation of Land**

State Environmental Planning Policy 55 – Remediation of Land (SEPP 55) requires the consent authority to consider whether the development site is contaminated and, if it is, whether it is suitable for the proposed development either in its contaminated state or following remediation works.

Council's Environmental Health Unit assessed the proposed works and advise that they are satisfied that the site is suitable for the ongoing public domain and walkway uses subject to recommended conditions of consent. It is noted that a Detailed Site Investigation was reviewed and accepted as part of the State Significant approval of the adjacent Western Sydney University Bankstown City Campus.

Given the above, the Panel can be satisfied that the subject site is suitable for the proposed development, in accordance with Clause 7 of SEPP 55.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The sites contain various trees on the southern and western portion of the land. The proposed development does not seek the removal of any of these existing trees and therefore meets the requirements of Clause 7, 9 and 10 of the SEPP.

State Environmental Planning Policy (Infrastructure) 2007*Transport for NSW*

With consultation with Council's Traffic and Transport Unit, the development was referred to Transport for NSW for the works in Rickard Road and the closure of the public vehicle access to The Appian Way. Although it was not required formally under the provisions of the State Environmental Planning Policy, Transport for NSW have reviewed the works and have requested the imposition of conditions of consent requiring a Transport Management Plan.

Bankstown Local Environmental Plan 2015 (BLEP 2015)

The development site is zoned B4 Mixed Use and RE1 Public Recreation under the Bankstown Local Environmental Plan 2015 (see figure 2). An assessment against the relevant provisions of the BLEP 2015 are provided below:

Clause 1.2 Aims of Plan**1.2 Aims of Plan**

- (a) to manage growth in a way that contributes to the sustainability of Bankstown, and minimizes the needs and aspirations of the community,*

- (b) to protect and enhance the landform and vegetation, especially foreshores and bushland, in a way that maintains the biodiversity values and landscape amenity of Bankstown,
- (c) to protect the natural, cultural and built heritage of Bankstown,
- (d) to provide development opportunities that are compatible with the prevailing suburban character and amenity of residential areas of Bankstown,
- (e) to minimize risk to the community in areas subject to environmental hazards by restricting development in sensitive areas,
- (f) to provide a range of housing opportunities to cater for changing demographics and population needs,
- (g) to provide a range of business and industrial opportunities to encourage local employment and economic growth,
- (h) to provide a range of recreational and community service opportunities to meet the needs of residents of and visitors to Bankstown,
- (i) to achieve good urban design in terms of site layouts, building form, streetscape, architectural roof features and public and private safety,
- (j) to concentrate intensive trip-generating activities in locations most accessible to rail transport to reduce car dependence and to limit the potential for additional traffic on the road network,
- (k) to consider the cumulative impact of development on the natural environment and waterways and on the capacity of infrastructure and the road network,
- (l) to enhance the quality of life and the social well-being and amenity of the community.

It is considered that the proposed development is consistent with the aims of the BLEP 2015 in light of the fact that the public domain works provide a site layout and streetscape that enhances recreational and community services within the Northern CBD Core of the Civic Centre. The removal of public vehicle access and car parking also reduces car dependence in the immediate CBD and improves pedestrian links to public transport infrastructure.

Assessment against relevant provisions of the BLEP 2015		
Provision	Proposal	Complies
2.1-2.3 Land Use and Zoning Clause 2.3(1)(c) of the BLEP 2015 refers to development that is permitted in the B4 Mixed Use Zone and RE1 Public Recreation zone.	<p>Recreation area means a place used for outdoor recreation that is normally open to the public, and includes—</p> <p>(a) a children’s playground, or</p> <p>(b) an area used for community sporting activities, or</p> <p>(c) a public park, reserve or garden or the like,</p> <p>and any ancillary buildings but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).</p> <p>Recreation area is permitted with consent in both the B4 Mixed Use</p>	YES (permitted with consent).

	zone and the RE1 Public Recreation zone.	
<p>2.3 Zone Objectives</p> <p>Clause 2.3(2) of the BLEP 2015 outlines that the consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.</p> <p><u>The objectives of the applicable B4 Mixed Use zone are:</u></p> <ul style="list-style-type: none"> • To provide a mixture of compatible land uses. • To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling. • To maintain the role of the Bankstown CBD as a major metropolitan centre. <p><u>The objectives of the RE1 Public Recreation zone are:</u></p> <ul style="list-style-type: none"> • To enable land to be used for public open space or recreational purposes. • To provide a range of recreational settings and activities and compatible land uses. • To protect and enhance the natural environment for recreational purposes. 	<p>The proposed development is consistent with the relevant objectives of the B4 Mixed Use zone as it provides for a land use that is compatible with surrounding development, encourages walking and cycling and maintains the role of the Bankstown CBD as a major metropolitan centre.</p> <p>The proposed development is consistent with the relevant objectives of the RE1 Public Recreation zone as it allows land to be used for public open space, that is also providing a range of recreational settings and enhances the natural environment for recreation purposes.</p>	YES
<p>5.10 Heritage Conservation</p> <p>The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned</p>	<p>The Bankstown Council Chambers, noted as Heritage item I6 under the BLEP 2015, is located on 375 Chapel Road, Bankstown. Given the nature of the works being public domain upgrades in an area not directly adjacent to the heritage item, the proposed development would not have any adverse impact on the heritage significance of the Bankstown Council Chambers.</p>	YES

Clause 5.21 – Flood Planning		YES
<p>1) The objectives of this clause are as follows:</p> <ul style="list-style-type: none"> (a) to minimise the flood risk to life and property associated with the use of land, (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change, (c) to avoid adverse or cumulative impacts on flood behaviour and the environment, (d) to enable the safe occupation and efficient evacuation of people in the event of a flood. <p>2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development:</p> <ul style="list-style-type: none"> (a) is compatible with the flood function and behaviour on the land, and (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and (d) incorporates appropriate measures to manage risk to life in the event of a flood, and (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses. 	<p>The property is affected by local overland flooding per Council's Stormwater Systems Report.</p> <p>Following a review of the stormwater systems report, hydraulic plans and the flood planning level (FPL) at the 1:100 ARI (average recurrence interval) flood, Council's Development Engineers are satisfied with the development.</p> <p>Supporting conditions have been provided to include in any development consent granted.</p>	

<p>3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters:</p> <ul style="list-style-type: none"> (a) the impact of the development on projected changes to flood behaviour as a result of climate change, (b) the intended design and scale of buildings resulting from the development, (c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood, (d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion. 		
<p>Clause 6.2 – Earthworks</p> <p>3) In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters:</p> <ul style="list-style-type: none"> (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development, (b) the effect of the development on the likely future use or redevelopment of the land, (c) the quality of the fill or the soil to be excavated, or both, (d) the effect of the development on the existing and likely amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics, (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area, 	<p>It is considered that the earthworks associated with the proposed development are consistent with the requirements of this clause.</p> <p>That assessment has not found any adverse impacts with regard to groundwater or implications to adjoining properties.</p> <p>The recommendations of the geotechnical report are to be included in any development consent granted.</p>	<p>YES</p>

(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.		
6.13 Sun access to certain public space in Bankstown Despite clause 4.3, development consent must not be granted to development on land to which this clause applies that results in less than 50% of Paul Keating Park receiving at least 4 hours of direct sunlight between 10 am and 3 pm on 21 June.	The proposed development will not cause overshadowing of Paul Keating Park.	YES

The proposed development is considered to be consistent with the relevant provisions of the BLEP 2015.

Proposed Environmental Planning Instruments [section 4.15(1)(a)(ii)]

The Draft Canterbury Bankstown Local Environmental Plan (CBLEP) applies to the subject site. The Draft CBLEP has been publicly exhibited and adopted by the Canterbury Bankstown Local Planning Panel on 30 June 2020 and is now being considered by the Department of Planning Industry and Environment for finalisation. While the draft instrument proposes the introduction of some additional provisions, in the most part, the Draft CBLEP provides for an administrative conversion of both the BLEP 2015 and CLEP 2012 into a combined document under the Standard Instrument LEP template. The proposed development is considered to be consistent with the draft LEP.

Development control plans [section 4.15(1)(a)(iii)]

Bankstown Development Control Plan 2015

An assessment summary of the proposed development against the applicable objectives of *Part A1 – Centres* of the Bankstown Development Control Plan 2015 (BDCP 2015) are provided below. It is noted that specific controls for the purposes of a recreational area are not listed in the development control plan.

The requirements of *Part A3 – Key Infill Development Sites* were also reviewed during the assessment of the development. It is noted that while *Section 7 – Western Sydney University Bankstown Campus* applies to 74 Rickard Road Bankstown, the DCP applies to development for the purposes of an educational establishment and associated ground floor uses. For other development types, the other parts of the DCP apply.

Bankstown Development Control Plan 2015– Part A1 & A2

Section 1 - Introduction

Objectives

The objectives of Part A1 of this DCP are:

- (a) To have development that is compatible with the desired character and role of the particular centre.*
- (b) To have development that achieves good urban design in terms of building form, bulk, architectural treatment and visual amenity.*
- (c) To have development that provides adequate amenity to people who live in, work in and visit the local area.*
- (d) To have transitional areas that are compatible with the prevailing suburban character and amenity of neighbouring residential environments.*
- (e) To have specific guidelines for key development sites within the centres.*

The proposed public domain works are sought within 66 Rickard Road, 74 Rickard Road, 75 Rickard Road and 375 Chapel Road and are therefore located within the area described by the DCP as the Northern CBD Core of the Civic Centre.

Having regard to the relevant objectives, the proposed development would deliver high quality public domain enhancements and a pedestrian-optimised environment as anticipated by the Paul Keating Masterplan and the action plans of Complete Streets 2019.

The public domain works are compatible with the desired character and role of the Northern CBD Core and would achieve good urban design that would greatly improve the amenity of The Appian Way for people who live in, work in, and visit the local area.

Section 2 - Bankstown Central Business District

Objectives

The objectives to achieve the desired character are:

- (a) To require a continuous built edge to the street at locations where it is essential to have active street frontages.*
- (b) To ensure setbacks are compatible with the surrounding context and desired urban character of the Bankstown CBD precincts.*
- (c) To provide specific guidelines for key redevelopment sites that will significantly contribute to the desired urban character of the Bankstown CBD precincts.*
- (d) To encourage the orientation of buildings to optimise passive design strategies that will reduce the need for artificial lighting and mechanical heating and cooling systems, and thus contribute to a sustainable urban environment.*
- (e) To retain the original building elements that contribute to the townscape significance of the Bankstown City Plaza precinct and, where original elements are missing, to encourage their reinstatement.*
- (f) To ensure development and signage in the Bankstown City Plaza precinct is compatible with the distinctive character of the buildings and surrounding context.*

The aforementioned objectives predominantly apply to development for the purposes of new buildings. Nevertheless, the proposed development promotes interaction and activity with The Appian Way public domain areas, with a focus on being pedestrian-prioritised. This facilitates active street frontages and would encourage the use of public transport nodes, while minimising the reliance and presence of cars in the Bankstown CBD.

Planning agreements [section 4.15(1)(a)(iia)]

There are no additional planning agreements applicable to the proposed development. As noted earlier in this report the applicant entered into a Voluntary Planning Agreement (VPA) to provide contributions for public purposes as sought under this development application.

The regulations [section 4.15(1)(a)(iv)]

The proposed development is not inconsistent with the provisions of the Environmental Planning and Assessment Regulation, 2000.

The likely impacts of the development [section 4.15(1)(b)]

The proposed development is not likely to result in any significant environmental, social or economic impacts on the locality. As detailed in this report, the development complies with the relevant provisions of the applicable planning instruments and is worthy of support.

The public domain works promote an appropriately landscaped, pedestrian-focused environment that revitalises open space links to the WSU Bankstown City Campus, Civic Drive and Paul Keating Park. The potential impacts of the proposed development on the surrounding locality have been appropriately managed.

Suitability of the site [section 4.15(1)(c)]

The site is considered suitable for the proposed development. The works would improve the amenity and function of the public domain in the Civic Precinct of the CBD and provide generous landscaped connections between the WSU Bankstown City Campus and open space areas of Paul Keating Park. The proposed stormwater and civil works have been carefully reviewed by Council's engineers to address overland flow and flood behaviour at the site.

Submissions [section 4.15(1)(d)]

The application was advertised and neighbour notified for a period of twenty-one (21) days, from 15 December 2021 to 27 January 2022. No submissions had been received at the time of preparing this report.

The public interest [section 4.15(1)(e)]

Approval of the proposed development would not contravene the public interest. The development assists to provide an active and public transport friendly CBD through a pedestrianised public domain, the removal of public parking in The Appian Way, and the provision of bicycle storage areas to encourage less reliance on motor vehicles.

CONCLUSION

DA-969/2021 has been assessed in accordance with the provisions of Section 4.15(1) of the *Environmental Planning and Assessment Act 1979*, requiring amongst other things, an assessment against State Environmental Planning Policy No 55 – Remediation of Land, State Environmental Planning Policy (Vegetation in Non-Rural areas) 2017, Bankstown Local Environmental Plan 2015, Draft Canterbury Bankstown Local Environmental Plan 2020 and the Bankstown Development Control Plan 2015.

The proposed development provides an appropriate outcome in the context of the role of the Northern Core of the Bankstown CBD, and would promote the purpose and vision set out in Council's Complete Streets strategy and the Paul Keating Park Master Plan. The proposal is recommended for approval, subject to the conditions attached.

RECOMMENDATION

It is recommended that the application be approved subject to the attached conditions.

SCHEDULE 1 – CONDITIONS

1. Approved Development

Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

Plan No.	Plan Name	Date	Revision	Prepared By
LA-1001	Location Plan	16/11/21	REV C	Aspect Studios Pty Ltd
LA-1101	Scope Plan	16/11/21	REV D	
LA-1002	Overall Landscape Legend	16/11/21	REV C	
LA-1201	General Arrangement Plan	16/11/21	REV D	
LA-1202	General Arrangement Plan - The Appian Way North	16/11/21	REV C	
LA-1203	General Arrangement Plan - The Appian Way South	16/11/21	REV C	
LA-1601	Tree and Services Plan	16/11/21	REV C	
LA-1701	Landscape Sections - Sheet 1	16/11/21	REV C	
LA-1702	Landscape Sections - Sheet 2	16/11/21	REV C	
LA-1703	Landscape Sections - Sheet 3	16/11/21	REV C	
LA-1704	Landscape Sections - Sheet 4	16/11/21	REV C	
LA-1705	Landscape Sections - Sheet 5	16/11/21	REV C	

Note: In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail.

- 1.1 The proposal shall comply with the conditions of Development Consent. A Construction Certificate shall not be issued until the plans and specifications meet the required technical standards and the conditions of this Development Consent are satisfied.
- 1.2 The recommendations of the Crime Prevention Through Environmental Design (CPTED) Assessment Report, '*The Appian Way Public Domain*', dated 17 November 2021, by Urbis Pty Ltd, forms part of the development consent and be implemented in final design and construction works.

2. Conditions to be satisfied prior to the issue of a Construction Certificate.

- 2.1. Prior to construction, updated landscape plans should be submitted to Council to include information regarding paving and details of conformity with slip resistance as per AS standards.
- 2.2. Details of the furniture including the seats, picnic tables, bike racks and other furniture must be included on amended landscape plans. Compliance with the Commonwealth Disability Discrimination Act 1992 is to be maintained in majority of the furniture including accessible picnic tables and seating including handrails for seats. Timber look aluminium battens are to be used instead of timber for the furniture.

- 2.3. Details of the landscape plantings must be provided as part of the updated landscape plans and consist of species native to the City of Canterbury-Bankstown. There must be sufficient soil depths provided for successful garden beds and application of a root barrier.
- 2.4. A Maintenance Schedule needs to be in place and reviewed by Council to ensure for a period of 12 months a:
 - a. replacement strategy for failures in plant materials and built works,
 - b. maintenance schedule for watering, weeding and fertilizing during the establishment period.
- 2.5. An automatic watering system is to be installed in the landscape areas at the applicant's cost. Details including backflow prevention device, location of irrigation lines and sprinklers, and control details are to be reviewed by Council prior to the issue of the relevant Construction Certificate. The system is to be installed in accordance with the manufacturer's specifications and current Sydney Water guidelines and to Council's satisfaction.
- 2.6. Prior to the issue of any Construction Certificate for this development, the applicant must obtain approval from Council for a Site, Pedestrian and Traffic Management Plan. This Plan must address the measures that will be implemented for the protection of adjoining properties, pedestrian safety and traffic management and other requirements as specified below.
A PRIVATE CERTIFIER CANNOT APPROVE YOUR SITE, PEDESTRIAN & TRAFFIC MANAGEMENT PLAN

This plan shall include details of the following:

- a) Proposed ingress and egress points for vehicles to and from the construction site;
- b) Proposed protection of pedestrians, adjacent to the construction site;
- c) Proposed hoardings, scaffolding and/or fencing to secure the construction site;
- d) Proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- e) Proposed measures to be implemented for the protection of all public roads and footway areas surrounding the construction site from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like;
- f) Proposed method of loading and unloading excavation machines, building material, construction materials and waste containers during the construction period;
- g) Proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc are required to be displayed and shall be in accordance with Council's and the NSW Roads and Traffic Authority's requirements and AS1742.3.

- h) Proposed method of support of any excavation, adjacent to adjoining buildings or the public road. The proposed method of support is to be certified by a Civil Engineer with National Professional Engineering Registration (NPER) in the construction of civil works.
- i) Proposed measures to be implemented in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the public road.
- j) Proposed measures for protection of the environment including procedures to control environmental impacts of work e.g. sediment control, proper removal, disposal or recycling of waste materials, protection of vegetation and control/prevention of pollution i.e. water, air noise, land pollution.

The approved Site, Pedestrian and Traffic Management Plan is to be implemented prior to the commencement of any works on the construction site. The applicant will be required to pay for inspections by Council Officers in accordance with Council's adopted fees and charges. An TfNSW Approval / Road Occupancy Licence will be required for works on or adjoining Rickard Roads.

- 2.7. Council requires that prior to any Construction Certificate works, evidence of lodgement of an application for a Works Permit and or a Roadway/Footpath Building Occupation Permit shall be obtained.
- 2.8. A Work Permit shall be applied for and obtained from Council for the works. Payment for the Work Permit should be made at least twenty one (21) days prior to the information being required and must be approved prior to the issue of the Construction Certificate.
- 2.9. All Council fees applicable, minimum restoration charges and inspection fees shall be paid prior to the assessment of the Work Permit in accordance with Council's adopted fees and charges. Note: Additional fees after approval will be charged where the Work Permit requires occupation of the Road or Footpath ie Hoardings, Work Zones etc.
- 2.10. Part of any approval will require the person or company carrying out the work to carry public liability insurance to a minimum value of ten million dollars. Proof of the policy is to be provided to Council prior to commencing any work approved by the Work Permit including the Road Opening Permit and must remain valid for the duration of the works.
- 2.11. All conditions attached to the permit shall be strictly complied with prior to occupation of the development. Works non-conforming to Council's specification (includes quality of workmanship to Council's satisfaction) shall be rectified by the Council at the applicant's expense.
- 2.12. A pre-construction dilapidation report for the approved route of travel to and from the nearest state road shall be provided to Council's Director of City Assets prior to the issue of a Construction Certificate.

- 2.13. The final civil construction plans of the public domain works shall be submitted to Council's Director of City Assets and approved prior to the release of the Construction Certificate.

The final civil construction drawings shall include, but not limited to:

- a) Plans to industry standard, Council standards [refer to CBC standard drawings], scales, cross sections at a minimum of 10m intervals.
- b) Existing and proposed levels for all works.
- c) Sections, including gradients of existing and finished surface levels.
- d) Drainage long sections, both piped and open systems.
- e) Drawing legends to incorporate all relevant line styles. E.g. the underground stormwater to be different to the proposed and be clearly annotated.
- f) Pit configurations.
- g) Kerb returns and pavement connection detail from proposed to existing surfaces.
- h) Existing and proposed signage and line marking.
- i) Services, existing and proposed.
- j) Water services and electrical meter locations, and other relevant details for the new works.
- k) Provide specifications for all works, including detailed sections of footings and supporting material for all hard works/street furniture.
- l) AS 4970-2009 Tree protection measures to be shown on construction drawings.
- m) The plans shall be certified to be DDA compliant.
- n) Shown how flood waters are accommodated within the final built form of the development.
- o) Public bin locations to be shown on plans with service path and service vehicle position identified.
- p) Civil plans shall incorporate all landscape elements.

- 2.14. Detailed design drawings shall be submitted to Council, for review and issue of approval, for the conversion of the slip lane on Rickard Rd to a drop off zone. The drawings shall include details of all pedestrian and cycleway connections to existing and proposed facilities, and kerb profiles to ensure proper connections to existing kerb and gutter in Rickard Road. The works shall be shown to not reduce the capacity of the floodway across Rickard Road for up to the 100 year storm event. The design of the Drop Off Zone shall be approved by Council's Traffic Committee prior to the issue of a Construction Certificate.

- 2.15. The final landscape construction plans of the public domain works shall be submitted to Council's Director of City Assets and approved prior to the release of the Construction Certificate.

- 2.16. The final Landscape Report, relating to the final construction plans, shall be submitted to Council's Director of City Assets and approved prior to the release of the Construction Certificate.

2.17. The Civil and Landscape plans shall incorporate drainage/overland flow requirements that include, but not limited to

- a) Furniture/Garden Beds – The Appian Way – The furniture and garden beds within The Appian Way shall be pervious (e.g. 300 mm gap) to allow for flow of floodwater. The plans shall provide a clear distance of 300mm gap on relevant sections to ensure this intent is conveyed.
- b) Root Barriers – The Rickard Road – root barriers are utilised between the trees and stormwater assets to protect the assets.
- c) Root Barriers – General – install root barriers adjacent to trees to prevent damage to adjacent services and pavement.
- d) Zone of influence – The Rickard Road – the root system/footing of the proposed trees does not apply loading to the stormwater assets. Plans and sections to demonstrate that the root systems are not within the zone of influence line of the pipe.
- e) Culvert in Garden Bed – The stormwater culverts are shown as existing in the garden beds in the sections with very limited cover. Plans and Cross sections to be provided, with supporting documentation, to support the feasible installation of garden beds with minimal cover and how the drainage infrastructure will be protected.
- f) The stormwater overland flow path to be shown in relation to planted garden bed areas to ensure ‘wash out’ of mulch and plants does not occur in minor to mid-range rainfall events.
- g) The works shall be shown to not reduce the capacity of the floodway between Rickard Road and The Mall for up to the 100 year storm event.
- h) An unobstructed overland flowpath (floodway) for excess stormwater runoff from Council’s drainage system and upstream catchment shall be provided to the satisfaction of Council’s Director of City Assets.
- i) The interface of The Appian Way and Rickard Road shall be constructed to the approved Council levels to create the required overland flow path characteristics and be specifically detailed in the final Civil construction drawings. The levels of the ramping at the northern end of The Appian Way shall be in line with the Council approved hydraulic modelling to minimise overland flow spill from Rickard Road by diverting it into the large stormwater inlet adjacent to the Council Administration building. The final detail construction plan for the interface of Rickard Road/Appian Way and the major stormwater inlet structure shall be approved by Councils Director of City Assets prior to the release of a Construction Certificate.

2.18. The overland flowpath in conjunction with the piped drainage system shall be designed to carry stormwater runoff from the 1:100 year A.R.I. design storms for the catchment concerned. Final details suitable for construction prepared by a qualified professional Civil Engineer shall be submitted to the Council’s Director of City Assets prior to the issue of the Construction Certificate. All approved construction details shall be consistent with this requirement.

- 2.19. The large inlet structure at the southern end of The Apian Way upstream of The Mall shall be positioned within the 300mm depression from the lowest point along the The Mall boundary, facing The Appian Way to prevent spill of the residual overland flow downstream. The levels of the footpath paving in all areas shall satisfy DDA compliance and be approved by Council's Director of City Assets prior to the issue of the Construction Certificate.
- 2.20. The localised drainage inlet capacity along Appian Way shall be provided on a detailed drainage plan, inclusive of the receiving pipe system, and approved by Council's Director of City Assets prior to the issue of the Construction Certificate.
- 2.21. An all-weather pavement shall be designed to withstand the anticipated wheel loads for a design life of 40 years for areas subjected to vehicular movements. The pavement shall provide the required slip resistance at all times. Pavement specification prepared and certified by a qualified professional Civil Engineer to comply with Austroads Guide to Pavement Technology Part 2: Pavement Structural Design and the relevant Australian Standards, and shall be submitted to the Council for approval prior to the issue of a construction certificate.
- 2.22. A final arborist report is to be submitted to Council for the existing trees showing the Tree Protections Zones (TPZ) and Structural Root Zones (SRZ). These details are to be included in final civil and landscape construction plans prior to the construction certificate.
- Additional details of tree 'strata-vault' (being the size and location) are to be shown on construction certificate plans noting any conflicts with existing services. The arborist report is to confirm if the strata-vault provides both sufficient volume and space for root growth to support balanced canopy growth.
- 2.23. A detailed Plant schedule to be submitted and approved by Council prior to the issue of a construction certificate.
- 2.24. An electrical services plan shall be forwarded to Council for approval prior to the issue of a construction certificate. All electrical work shall comply with relevant Australian Standard and Ausgrid requirements. The plans shall indicate the location of all electrical assets and service conduits and verification on the location of the point of supply.
- 2.25. The final construction drawings are to address the following:

1. Civil & Stormwater

- a) Existing road surface levels in Civic Drive shall not be lowered. Any proposed increase in surface levels (e.g. for new footpaths, kerb, concrete coating etc.) shall be certified by a qualified structural Engineer, and described on final construction drawings
- b) New surface inlet pit on Civic Drive shall be located at existing low point, while maintaining existing or better surface water flow grades towards the pit.

- c) New surface inlet pit on Civic Drive, location shall be shown consistently at existing low point (refer to Civil Plans sheet C6.03). Incorrect location shown on Landscaping Plans (e.g. sheet LA-1202, LA-1204) shall be amended.
- d) Roll kerb detail on top of existing concrete slab on Civic Drive shall be designed and certified by qualified structural engineer. Use of CBC standard roll kerb & gutter detail on Civil Plan sheet C4.51 is not possible on top of existing concrete slab.
- e) Proposed stormwater inlet pit on Civic Drive is shown as within current DA scope of works, amend Civil Plan sheet C4.11 scope and provide structural details for this new pit.
- f) Connection of proposed stormwater pipes into existing culvert subject to Sydney Water Corporation's concurrence.
- g) On Civil Plans sheet C6.05, grated drain detail provided is not appropriate as the proposed drain will be in paver footpaving instead of concrete pavement. Correct detail shall be provided with details matching pavement type shown on landscape set.
- h) Provide crest ridge line across The Appian Way at Rickard Road, 300mm higher than Rickard Road gutter invert levels.
- i) Both existing kerb inlet pits need to be shown on Civil Plans sheet C4.01. Ensure proposed kerb alignment does not clash with existing lintels.
- j) Civil Plan extent of works on sheet C4.01 does not match Landscape Plan LA-1202, update drawings to provide consistent scope of works across all drawing disciplines.
- k) Ensure kerb water inlets for tree pits on Rickard Road are restored following construction of kerb extension for kiss & ride zone.
- l) The developer shall ensure the design of the public domain works allows the existing retaining wall along Paul Keating Park (PKP) to be removed separately so it will not negatively impact the intended recreational values or usefulness of the public domain works.
- m) On Civil Plans sheet C4.04 (issue 2), provide 300mm pond depth relative to CBC's proposed pit along project extent (i.e. do not match existing levels at boundaries if <300mm depth, e.g. at SW corner near tactiles).
- n) Seating furniture on top of CBC's proposed inlet pit near The Mall shall be designed to provide 200mm minimum slot height all around. Protection shall be provided to prevent small animals or objects from falling through slot opening.
- o) Localised depression shall be provided around CBC's proposed inlet pit, cover depression with proposed seating furniture to achieve 2.5% (max.) nominal crossfall between edge of seat to site boundaries.
- p) Landscaping Design Report Section 2 Design Strategies, 2.4 Site Drainage and Flooding plan shows proposed pits and strip drain along southside of WSU building. This needs to be reconciled with Civil Plans sheet C4.02, developer to confirm if this drainage line is required and update the design accordingly.
- q) CBC fibre / telecoms cabling is present within the proposed extent of works. Utility protection / adjustment detail shall be provided.

2. Landscape Furniture

- a) Furniture types shall be confirmed, selection must be appropriate for the CBD furniture styles. Ensure furniture has at least 200mm ground clearance for overland stormwater flow.
- b) Wayfinding signage details shall be provided. Signage style shall be coordinated across The Appian Way/Civic Drive precinct, signs must be easily interpretable and suitable for CBD environment.
- c) Detailed design of proposed new moveable seating platforms to be provided by developer.
- d) Detailed furniture schedule including alternative furniture range or suppliers shall be provided.
- e) Landscaping Design Report section 3 Public Spaces illustrates the potential weather proof shade structure as pergola. The shade structure must be weather proof.

3. Landscape Planting

- a) Landscape selection along Rickard Road shall take into consideration TfNSW's landscape design guideline, especially regarding frangible trees, due to Rickard Road being a regional road.
- b) Proposed tree planting and protection details along existing box culverts shall be as per Sydney Water Corporation's concurrence.

4. Electrical and lighting

- a) Electrical and lighting design shall provide provisions for installation of lighting elements under seats/furniture and in trees.
- b) Additional electrical general power outlets (GPO) to be provided on forecourt between WSU and PKP. GPO shall be evenly distributed at various locations to provide provisions for future food stalls or markets etc.
- c) All light poles/furniture shall be checked against mature heights of nearby trees. Ensure light coverage is adequate and will not be negatively impacted by trees once fully grown.

5. Traffic

- a) Proposed traffic regulatory signage shall be as per Traffic Committee's concurrence.
- b) The developer shall provide adequate measures or active enforcement to ensure forward only parking at kiss & ride zone along Rickard Road. Developer to provide details on how reverse parallel parking will be prevented.
- c) On the submitted Traffic Transport and Parking Report, swept path shown on drawing SKT008 is not acceptable. Provide swept path showing vehicle forward entry into middle parking space without intruding into Rickard Road, or provide alternative measures to ensure minimal impact on Rickard Road traffic.

3. Conditions to be satisfied prior to construction

- 3.1. A construction certificate is required for the construction works in accordance with this Determination Notice.

This Determination Notice does not authorise construction work until a Principal Certifier has been appointed as the Principal Certifier for the work by (or with the approval of) the person having the benefit of this Determination Notice.

The following requirements apply before the commencement of construction work in accordance with this Determination Notice:

- a. the principal certifier has, no later than 2 days before the construction work commences, notified the Consent Authority and the Council (if the council is not the Consent Authority) of his or her appointment as the principal certifier,
 - b. the principal certifier has, no later than 2 days before the construction work commences, notified the person having the benefit of this Determination Notice of any inspections that are required to be carried out in respect of the building work,
 - c. the person carrying out the construction work has notified the principal certifier that the person will carry out the construction work as an owner-builder, if that is the case,
 - d. the person having the benefit of this Determination Notice, if not carrying out the work as an owner-builder, has:
 - i. appointed a principal contractor for the construction work who must be the holder of a contractor licence if any residential building work is involve, and
 - ii. notified the principal certifier of the appointment, and
 - iii. unless that person is the principal contractor, notified the principal contractor of any inspections that are required to be carried out in respect of the construction work,
 - e. the person having the benefit of this Determination Notice has given at least a 2-day notice to the Council, and the principal certifier if not the Council, of the person's intention to commence the erection of the building.
- 3.2. Prior to the commencement of work, the person having the benefit of this Determination Notice must provide a temporary on-site toilet if access to existing toilets on site is not adequate/available. Temporary on-site toilet facilities must be installed and be adequately maintained throughout the construction period.
- 3.3. A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out:
- a. showing the name, address and telephone number of the principal certifier for the work, and
 - b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - c. stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work or demolition work is being carried out but must be removed when the work has been completed.

Note: This does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

- 3.4. A CTMP shall be submitted to Council indicating proposed construction compounds and the proposed travel route to and from the nearest state road. The CTMP shall reference the Site Access Traffic Management Plan for 66 Rickard Road, 63 Rickard Road and 69 The Mall. The CTMP shall be approved by the Council's Director of City Assets prior to occupation of the development site.
- 3.5. A Site Access Traffic Management Plan (SATMP) for 66 Rickard Road, 63 Rickard Road and 69 The Mall shall be prepared by a suitably qualified consultant and approved by Council's Director of City Assets prior to occupation of the site. The SATMP shall provide analysis and conclusions as to the site access requirements, ingress and egress, of all sites, both during construction and on completion of the development. All sites access requirements shall be met both during and on completion of the project. The report shall specify any alteration to the service requirement of the properties, including but not limited to, 66 Rickard Road garbage storeroom.
- 3.6. A Quantity Surveyors report with construction drawings describing all public domain improvements on the site shall be provided to Council's Director of City Assets prior to the occupation of the site. The report and construction drawings shall be in an approved electronic format to the satisfaction of the Council's Director of City Assets to enable appropriate capitalisation of the new Council infrastructure. A final QS report with WAE drawings shall be provided on completion of the project to incorporate any amendments during construction. All WAE drawings & QS reports shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information is accurate.
- 3.7. A defects bond in the form of a bank guarantee, to the benefit of Canterbury Bankstown Council, equivalent to 20% of the original QS cost summary shall be lodged with Council prior to the occupation of the site.
- 3.8. A tree protection barrier is to be erected around the perimeter of the Tree Protection Zone as defined in the Australian Standard 2009, AS 4970-2009 Protection of Trees on Development Sites prior to the commencement of any site works. The barrier is to be well maintained during construction. No building material storage or construction activity shall be allowed to encroach within the Tree Protection Zone. The amended landscape plan is to include tree protection details. Refer to CBCity Standard details on the website (S-210 Standard Tree Protection Zone around Existing Tree).

4. Conditions to be satisfied during construction.

- 4.1. The construction and demolition work may only be carried out between 7.00 am and 6.00 pm on Monday to Friday, or between 8.00 am and 1.00 pm on Saturdays, and no construction is to be carried out at any time on a Sunday or a public holiday.
- 4.2. Building work must be carried out in accordance with the requirements of the BCA.
- 4.3. While building work is being carried out, a registered surveyor is to measure and mark the positions of the following and provide them to the principal certifier —
 - a. Finished floor levels of the public domain works to match the interface finished floor levels of WSU Bankstown City Campus, the walkway in The Appian Way and future link to Civic Drive.
- 4.4. All civil and hydraulic engineering works on site must be carried out in accordance with Council's Bankstown Development Engineering Standards. All Civil and Hydraulic engineering works associated with Council's assets and infrastructure must be carried out in accordance with Council's Work Permit requirements and to Council's satisfaction.
- 4.5. Prior to the commencement of work, the builder shall prepare a photographic record of the road reserve which clearly shows its condition prior to works occurring on site. For the entirety of demolition or construction works, there shall be no stockpiling of building spoil, materials, or storage of equipment on the public road, including the footway and the road reserve shall be maintained in a safe condition at all times. No work shall be carried out on the public road, including the footway, unless a Work Permit authorised by Council has been obtained.
- 4.6. All proposed works within the public road and footway shall be constructed under the supervision and to the satisfaction of Council. The applicant/developer shall arrange for necessary inspections by Council whilst the work is in progress.

5. Conditions to be satisfied prior to occupation.

- 5.1. An occupation certificate must not be issued until all conditions relating to demolition and construction works have been satisfied and Council has issued a Work Permit Compliance Certificate (where applicable).
- 5.2. Any proposed deviation from any approved Construction plan shall be forwarded to Council's Director of City Assets, or his representative for confirmation of acceptance.

- 5.3. A post construction dilapidation report for the approved route of travel to and from the nearest state road shall be provided to Council for record and a damage assessment undertaken on the issue of an Occupation Certificate/Completion of Works. A final Dilapidation report shall be provided comparing the pre and post construction conditions of the public infrastructure and arrangements made on the process of undertaking the required restoration works with Council. The cost of restoration of damage to public domain road assets that can be attributed to the development construction traffic shall be borne by the applicant.
- 5.4. An Asset Management Plan shall be provided for all elements of the public domain improvements, including, but not limited to, civil works, proprietary and custom street furniture, lighting and landscape. The plan shall detail inspection and maintenance requirements, material specification, service asset life and life cycle cost estimates. The report shall be provided in a format to the satisfaction of the Director and submitted to Council for assessment and approval prior to the completion of works.
- 5.5. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works shall be undertaken by the Applicant in accordance with Canterbury Bankstown Council's standards and specifications.

6. Conditions of use.

- 6.1. Landscaping shall be maintained under best horticultural practise at all times.
- 6.2. A defects liability period of 12 months shall commence on conclusion of the works. The developer shall be responsible for all maintenance of public domain elements, including but limited to, street furniture, paving, landscape, water features, irrigation and lighting. A preliminary inspection between Council representatives and the developer shall be undertaken no later than 3 weeks prior to the expiry of the 12-month defects liability period to identify defects, with a final inspection and handover inspection on expiry of the 12-month defects liability period. The findings of these inspections will determine the release conditions of the Defects bond bank guarantee.
- 6.3. There shall be no emissions of noise, smoke, smell, vibration, gases, vapours, odours, dust, particulate matter, or other impurities which are injurious or dangerous to health, or the exposure to view of any unsightly matter or otherwise.

-END-

Canterbury Bankstown Local Planning Panel - 07 March 2022

ITEM 2	DA-539/2021 - 1A Alcoomie Street, Villawood
	Construction of a new Community Centre comprised of three separate buildings connected via large interlocking awnings adjacent a central external courtyard, associated landscape works and associated works
FILE	DA-539/2021 – Bura / Bass Hill
ZONING	RE1 Public Recreation
DATE OF LODGEMENT	13 July 2021
APPLICANT	City of Canterbury Bankstown / Terroir
OWNERS	City of Canterbury Bankstown
ESTIMATED VALUE	\$3,040,017.00
AUTHOR	Jeremy Swan, The Planning Hub – Independent Town Planning Consultant

REPORT

This matter is reported to Council's Local Planning Panel in accordance with the Panel's delegation from the NSW Minister for Planning, as the applicant and landowner is Council. Development Application No. DA-539/2021 proposed the construction of a new community centre comprised of three separate buildings connected via large interlocking awnings adjacent a central external courtyard, associated landscape works and associated works at Lot U DP 36603, No. 1 Alcoomie Street, Villawood.

After a preliminary review of the application a request for further information was issued to the applicant on 30 July 2021, 13 September 2021 and 22 October 2021 requesting further information regarding:

- Site Contamination
- Community Safety
- Waste Services
- Traffic
- Environmental Health

The applicant provided additional information on 20 October 2021 & 25 January 2022 in response to the request for further information. The additional information was re-referred to the relevant Council officers who raised no objection and provided conditions which has been included in the recommended conditions of consent.

DA-539/2021 has been assessed in accordance with Section 4.15 of the Environmental Planning and Assessment Act, 1979 requiring, amongst other things, an assessment against:

- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017
- Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment
- Bankstown Local Environmental Plan 2015
- Bankstown Development Control Plan 2015
- Draft Consolidated Canterbury Bankstown Local Environmental Plan 2020.

The application was notified for a period of 21 days from 4 August 2021 to 24 August 2021. Two submission were received raising concern that the proposed facility does not include other facilities such as Basketball Court, Tennis Court and Swimming Pool.

The issues raised in the submission have been taken into account in the preparation of this report and additional facilities in the future is a matter for Council and not the subject of this application.

POLICY IMPACT

The matter has no direct policy implications.

FINANCIAL IMPACT

This matter has no direct financial implications.

RECOMMENDATION

It is recommended that the application be approved subject to the attached conditions.

ATTACHMENTS

- A. Assessment Report
- B. Conditions of Consent

DA-539/2021 ASSESSMENT REPORT

SITE & LOCALITY DESCRIPTION

The subject site is legally described as Lot U DP 36603 and is commonly known as Thurina Park, 1A Alcoomie Street, Villawood, NSW, 2163 and legally described as Lot U DP36603. The Park is bounded by Lowana Street to the east, north and south. The development site contains a gentle slope from the south east to the north west.

Currently, the site is used for both active and public recreation, containing open grassed areas with scattered trees and pathway. The subject site currently contains the provision of 3 football fields or 2 cricket fields (depending on the season). The site also contains onsite car parking with the provision of approximately 71 car parking spaces (including 2 disabled parking spaces).

The context of the site is illustrated in the following aerial photos.



Figure 1: Aerial of subject site, outlined in red. **Source:** Nearmap



Figure 2: Aerial identifying specific site within Thurina Park **Source:** Applicant

The site has an overall area of 67,073 sqm by title, is irregular in shape and is zoned RE1 Public Recreation. Refer to zoning map below.

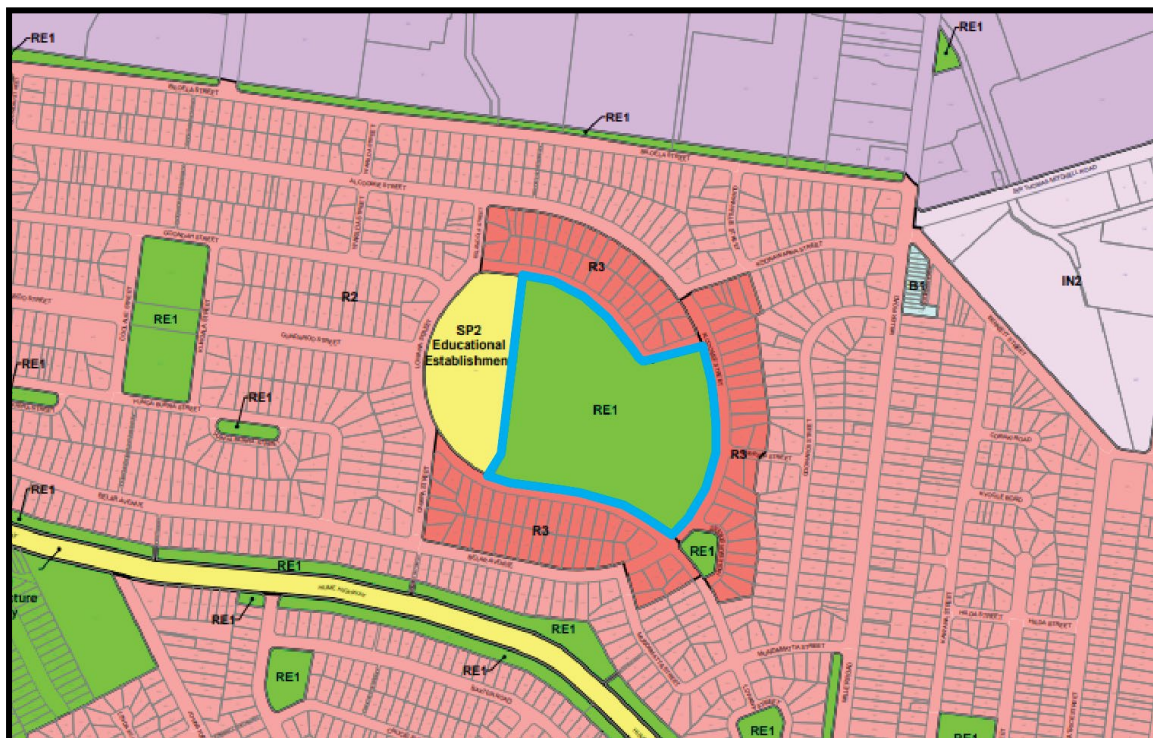


Figure 3: Zoning Map detailing the site outlined in blue. **Source:** NSW Legislation

PROPOSED DEVELOPMENT

The Development Application (DA) No. DA-539/2021 proposes the construction of a new community centre comprised of 3 separate buildings connected via large interlocking awnings adjacent a central external courtyard, with associated external landscape works. The development proposes a total gross floor area of 530m².

Specifically, the works involve the following:

- The Removal of a picnic table with a shelter, 5 existing trees, the realignment of pathways and minor earthworks;
- Construction of a new community centre comprised of 3 separate buildings that are connected via large interlocking awning.
 - Eastern building – is a multi-purpose room containing an open space for accommodating tables and seating with this space being adjoined by a small kitchen and storage area with a gross floor area of 280m²;
 - Southern building – contains a meeting room and amenities, accessible toilet parents' room and storage with a gross floor area of 180m²; and
 - Northern Building – contains a meeting room with storage wall and has a gross floor area of 70m².
- Provision of a pick/up/drop/off zone adjoining the existing carpark access driveway of Lowana Street; and
- Landscaping as per submitted landscape design.

The operational details for the proposed community centre are as follows:

- Hours of Operation:
 - 8am-10pm Sunday to Thursday;
 - 8am – 12 midnight Friday and Saturday; and
 - Use of the outdoor covered area will be limited to 8am to 10pm Daily.
- Capacity:
 - Eastern building – 180 people;
 - Southern building – 50 people;
 - Northern Building – 50 People

The proposed development will be available for Council related services while being available for community hire for various activities. The proposed development will cater for activities such as Private Functions, Birthday Partis, and Recreational Activities such as martial arts, dance classes, music practice, senior activities, and playgroups or church groups. Noise will generally incur from associated activities. Measures have been implemented to minimise impacts on surrounding residents and developments.

Furthermore, the Central courtyard will be an indoor-outdoor use/space for the above activities permitting passive recreation, pre function space, post function space, and community gathering.

Local Government Act 1993

The Subject site is classified as 'Community Land' under the Local Government Act (LGAct). The relevant matters listed in Under Clause 35 of the LGAct must be considered.

In this regard, community land can only be used in accordance with the Plan of Management that applies to the Land. Canterbury Bankstown Council has a Generic Plan of Management (GPOM) that applies to all community and Crown Land within the LGA.

Generic Plan of Management (GPOM)

This site classified as 'General Community Use' under the Canterbury Bankstown Council GPOM. The controls applicable to this application are discussed below.



Figure 4: Thuruna Park, Villawood Category Map detailing the site outlined in blue. **Source:** Canterbury Bankstown Council

Category General Community Use (Section 36I) core objectives from LGAct 1993:

The proposed development is consistent with the relevant core objectives from LG Act 1993 for General Community Land:

The objectives are as follows:

- *To promote, encourage and provide for the use of the land, and*
- *To provide facilities on the land, to meet the current and future needs of the local community and of the wider public:*
 - (a) In relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and*
 - (b) In relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).*

The proposal generally meets with the relevant objectives of Community Land.

Uses and Developments Allowed on Community Land

Table 10 of the GPOM includes a list of uses and developments that are allowed on land categorised as General Community Land. Types of land uses and development potentially associated to the proposed Community Centre that can be viewed as appropriate include:

Uses

- *Active casual recreation including ball games, children's play and cycling;*
- *Group recreational use, such as picnics and private celebrations;*
- *Passive casual recreation such as walking;*
- *Non-commercial clubhouse uses including kiosk, amenities, storage, meeting spaces;*
- *Festivals, parades, concerts (all musical genres), performances (including film and stage), markets, fairs, fetes, exhibitions and similar events and gatherings;*
- *Commercial activities which are sympathetic to and support use in the area and are of appropriate scale (e.g. recreational equipment sale/hire, photography sessions, restaurants or café/kiosk areas including seating and tables, clubhouse kiosk, sports tuition, dance, personal trainers and fitness classes etc.);*
- *Filming and photographic projects; and*
- *The gathering of community based interest groups for a range of social, cultural, entertainment, recreational or educational purposes. This includes library, information and resource services; child care (e.g. before and after school care, vacation care), scout and guide use, youth and aged services, YMCA, Men's Sheds, health services etc.*

Development

- *Development (appropriate to the site) to improve access, amenity and the visual character of the open space such as paths, paved areas, park furniture, BBQs, shade structures, toilet facilities, work or storage sheds required for maintenance, bridges, observation platforms, boardwalks, etc;*

- *Development for informal active recreation such as; play equipment, exercise equipment, bike paths, bike racks, half-court basketball courts, bocce courts, tennis walls, cricket nets, facilities for dog off-leash areas;*
- *Development of buildings and grounds for community based interest groups for a range of social, cultural, entertainment, recreational or educational purposes. This includes libraries, information and resource centres; child care centres (e.g. before and after school care, vacation care), scout and guide halls, Citizens' Centres, YMCA, Men's Sheds, health centres, stages and amphitheatres (and associated facilities such as professional rooms for hire and refreshment rooms);*
- *Hard and soft landscaped areas to improve the aesthetics, function, amenity and environmental outcomes of the open space;*
- *Public lighting – for evening recreation, pedestrians, cyclists, carparks, toilets etc*
- *Café/kiosk or refreshment areas (including external seating), appropriate in size to the site; mobile cafes;*
- *Car parking and loading areas, driveways, access roads or similar appropriate to site;*
- *Advertising structures and signage (such as A-frames and banners) that:*
 - *Relate to approved uses/activities;*
 - *Are temporary (1 day only or for the event duration) and of appropriate size;*
 - *Are approved by Council;*
- *Water sensitive urban design initiatives such as stormwater harvesting, raingardens, swales, bio-retention basins;*
- *Energy saving initiatives such as solar lights and solar panels;*
- *Locational, directional and regulatory signage;*
- *Temporary erection or use of any building or structure to enable filming; and*
- *Utilities to improve amenity or safety of the reserve, eg CCTV cameras.*

The proposed Community Centre permits a range of allowed land uses and developments. As such, the development is considered appropriate and supportable in this instance.

Statutory Considerations

The proposal

When determining this application, the relevant matters listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 must be considered. In this regard, the following environmental planning instruments, development control plans, codes and policies are relevant:

- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017
- State Environmental Planning Policy No. 19 – Bushland in Urban Areas
- Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment
- Bankstown Local Environmental Plan 2015
- Bankstown Development Control Plan 2015
- Draft Consolidated Canterbury Bankstown Local Environmental Plan 2020.

SECTION 4.15 ASSESSMENT

The proposed development has been assessed pursuant to section 4.15 of the *Environmental Planning and Assessment Act, 1979*. In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the proposed development.

Environmental planning instruments [section 4.15(1)(a)(i)]

State Environmental Planning Policy No. 55 – Remediation of Land

The provisions of Clause 7 of State Environmental Planning Policy 55 – Remediation of Land specifies that a consent authority must not consent to the carrying out of any development on land unless:

- (a) *it has considered whether the land is contaminated, and*
- (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

A preliminary site investigation was accompanying the development application. The preliminary assessment concludes that the site is suitable for the proposed development, subject to conditions including the implementation of an unexpected finds protocol (UFP).

Therefore, the site is considered suitable for the proposed development and the proposed development is considered to satisfy the provisions of SEPP 55.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The proposed development is subject to the provisions of the State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017. specifies that council cannot allow the clearing of vegetation in the following circumstances. An assessment of the proposal indicates that the proposed development is consistent with the general aims, objectives, and clauses of the plan. The proposed development has been referred to councils Tree Management Officer and no objections were raised.

State Environmental Planning Policy No. 19 - Bushland in Urban Areas

The proposed development has been identified to be affected by the State Environmental Planning Policy No. 19 - Bushland in Urban Areas. An assessment of the proposal indicates that the proposed development is consistent with the general aims and objectives of the plan and there is no inconsistency with the planning principles as set out in Clause 6 of SEPP 19. Furthermore, the development has been referred to councils Tree Management Officer

where no objections were raised. Therefore, the proposed development is considered to satisfy the provisions of SEPP.

Greater Metropolitan Regional Environmental Plan 2 – Georges River Catchment

The subject site is located within an area that is identified as being affected by the *Greater Metropolitan Regional Environmental Plan (GMREP) 2 – Georges River Catchment*, being a deemed SEPP from 1 July 2009 under the then Clause 120 of Schedule 6 of the EP & A Act 1979. The GMREP No.2 contains a series of general and specific planning principles which are to be taken into consideration in the determination of development applications.

An assessment of the proposal indicates that it is consistent with the general aims and objectives of the plan and there is no inconsistency with the planning principles as set out in Clause 8 of GMREP No. 2.

Bankstown Local Environmental Plan 2015

This site is zoned RE1 Public Recreation under the Bankstown Local Environmental Plan 2015 (BLEP 2015). The controls applicable to this application are discussed below.

Clause 1.2 Aims of Plan

The proposed development is consistent with the relevant aims of the BLEP 2015.

The particular aims of this Plan are as follows:

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
- (a) to manage growth in a way that contributes to the sustainability of Bankstown, and recognises the needs and aspirations of the community,*
- (b) to protect and enhance the landform and vegetation, especially foreshores and bushland, in a way that maintains the biodiversity values and landscape amenity of Bankstown,*
- (c) to protect the natural, cultural and built heritage of Bankstown,*
- (d) to provide development opportunities that are compatible with the prevailing suburban character and amenity of residential areas of Bankstown,*
- (e) to minimise risk to the community in areas subject to environmental hazards by restricting development in sensitive areas,*
- (f) to provide a range of housing opportunities to cater for changing demographics and population needs,*
- (g) to provide a range of business and industrial opportunities to encourage local employment and economic growth,*
- (h) to provide a range of recreational and community service opportunities to meet the needs of residents of and visitors to Bankstown,*

- (i) *to achieve good urban design in terms of site layouts, building form, streetscape, architectural roof features and public and private safety,*
- (j) *to concentrate intensive trip-generating activities in locations most accessible to rail transport to reduce car dependence and to limit the potential for additional traffic on the road network,*
- (k) *to consider the cumulative impact of development on the natural environment and waterways and on the capacity of infrastructure and the road network,*
- (l) *to enhance the quality of life and the social well-being and amenity of the community.*

The proposal generally complies with the relevant aims of this Plan.

Clause 2.3 Zone objectives and Land Use Table

The subject site is zoned RE1 Public Recreation pursuant the Bankstown Local Environmental Plan 2015. A Community Centre is categorised as a 'Community Facility' which is defined as follows:

community facility means a building or place—

- (a) *owned or controlled by a public authority or non-profit community organisation, and*
- (b) *used for the physical, social, cultural or intellectual development or welfare of the community,*

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

A Community Facility permitted with consent under the provisions of the Blacktown Local Environmental Plan 2015.

Zone Objectives

Clause 2.3(2) of BLEP 2015 outline that the consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

The objectives of the RE1 Public Recreation Zone are as follows:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*

The proposed development meets the objectives of the zone in that it provides a permissible development that supports recreational purposes. The addition of a community facility is noted to be a compatible land use that compliments the existing recreational setting and activities within the site.

Furthermore the development has been sited to complement the existing recreational activities without any known adverse effects on the natural environment.

Relevant Clauses

The following clauses of the BLEP 2015 were taken into consideration:

Clause 4.3 – Height of Buildings;
 Clause 4.4 – Floor Space Ratio;
 Clause 5.21 Flood Planning
 Clause 6.1 – Acid Sulfate Soils; and
 Clause 6.2 – Earthworks.
 Clause 6.4 Biodiversity

An assessment of the development application has found that the proposal complies with the matters raised in each of the above clauses of the Bankstown Local Environmental Plan 2015.

The table below demonstrates the relevant compliance with the controls as set out in the BLEP 2015.

Provision / Standard	Requirement	Proposal	Compliance
Clause 4.3 - Height of Buildings			NA
Clause 4.4 - Floor Space Ratio			NA
Clause 5.21 Flood Planning	To avoid adverse or cumulative impacts on flood behavior and the environment,	North of the subject site may be subject to stormwater induction from overland flow paths during large storm events. The site is identified as showing flood contours. The development has been designed to comply with Schedule 5 of the Bankstown Development Controls in Bankstown DCP 2015. Subject to conditions the development satisfies the objectives and controls of the Clause.	Yes.
Clause 6.1 – Acid Sulfate Soils			N/A
Clause 6.2 – Earthworks	The objective of this clause is to ensure that earthworks for which	The proposed development involves minor earthworks to	Yes.

	development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.	accommodate the proposed development and services. The earthworks are minor in nature and have been designed to ensure they do not adversely impact environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.	
Clause 6.4 Biodiversity	encouraging the conservation and recovery of native fauna and flora and their habitats.	The proposed site contains land identified as 'Biodiversity' on the Terrestrial Biodiversity Map. The proposed has been referred to councils Tree Officer and no objections were raised. Subject to conditions, the proposed development is considered compliant.	Yes.

Draft environmental planning instruments [section 4.15(1)(a)(ii)]

The Draft Canterbury Bankstown Local Environmental Plan 2020 (CBLEP 2020) applies to the subject site. The Draft CBLEP 2020 has been publicly exhibited and approved by the Canterbury Bankstown Local Planning Panel on 30 June 2020 and is now to be reviewed by the Department of Planning. While the draft instrument proposes the introduction of some additional provisions, in the most part, the Draft CBLEP 2020 provides for an administrative conversion of both the BLEP 2015 and CLEP 2012 into a combined document under the Standard Instrument LEP template.

The proposed development is consistent with the relevant provisions under the Draft CBLEP 2020.

Development control plans [section 4.15(1)(a)(iii)]

The following table provides a summary of the development application against the controls contained within Part B1, B5 and B13, of the *Bankstown Development Control Plan 2015*.

STANDARD	BDCP 2015	
	REQUIRED	COMPLIANCE
BDCP 2015 Part B4		
Section 2 – Water Conservation Controls		
Use of water efficient fixtures	<p><u>Requirement W1: use of Water Features</u></p> <p>All taps, showerheads, toilet suites (cisterns, urinals) used in the development must be rated to at least 4 stars under the National Water Efficient Labelling and Standards (WELS) Scheme (refer below).</p>	Yes. Compliance with requirements of W1 requirements forms part of the conditions of consent where applicable.
Section 3 – Energy Minimisation Controls		
Energy efficient building design	<p>orientating the building so that its longest side is on the east west axis (where possible);</p> <p>maximising the number of windows on the northern face of the building and minimising glazed areas on the eastern and western walls of the building (i.e. providing for most of the glazed areas on the northern face of the building);</p> <p>consider and include where feasible the following features: skylights, clerestory windows, light wells, light tubes, atriums and similar features.</p> <p>all windows are rated to at least four (4) heating stars under the Australian Windows Councils Windows Energy Rating System (windows must also satisfy Australian Standard 2047 for air infiltration performance);</p> <p>incorporating external shading devices (e.g. overhangs or shutters) into the design of the building for all west facing windows;</p>	<p>Yes. The development comprises 3 separate buildings. The collective design of the development has collectively been orientated northerly to maximise solar access. The open design allows maximum solar access to the proposed courtyard and further internal spaces.</p> <p>Yes. The proposed development has maximised the number of windows on the northern face of the building and minimising glazed areas on the eastern and western walls of the building.</p> <p>Yes. Compliance Energy efficient building design requirements will be implemented within the conditions of consent where applicable.</p> <p>Yes. A section J Report has been prepared demonstrating the development compliance with the National Construction Code NCC.</p> <p>Yes. Awnings are proposed that provide appropriate shading to west facing windows.</p>

STANDARD	BDCP 2015	
	REQUIRED	COMPLIANCE
	<p>consider and incorporate where possible other features to maximise natural ventilation,</p> <p>Insulation should be provided that meets the following standards: Walls: R = 1.5 or greater; Floors: R = 1.0 or greater; Roof /Ceiling: R = 2.5 or greater.</p>	<p>Yes. A Section J report has been prepared detailing the building ability to maximise ventilation. Mechanical Ventilation Systems will be provided where this is not possible.</p> <p>Yes. The Section J Report provided shows demonstrates compliance with insulation requirements.</p>
Energy efficient hot water systems, air-conditioning and lighting	<p><u>Energy efficient hot water systems</u></p> <p>The development must incorporate a hot water heating system that is energy rated to at least 4 stars. The preferred system is either a gas boosted solar system, or a 5-star gas system, with appropriate insulation to the tank and pipes.</p> <p><u>Energy efficient air conditioning</u></p> <p>Where mechanical heating and cooling (i.e. air conditioning) is required, energy efficient systems must be used.</p> <p>Energy efficient lighting and lighting control systems</p> <p>Energy efficient lighting must be used in the development.</p>	<p>Yes. Compliance with energy efficient hot water systems, air-conditioning and lighting requirements will be implemented within the conditions of consent where applicable.</p>
BDCP 2015 Part B5 - Parking		
Section 2 – Off Street Parking		
Off-street parking spaces	<p>Development must calculate the amount of parking required using the schedule of off-street parking requirements.</p>	<p>It is noted that the proposed use is not a prescribed use and has been assessed by merit and based on a detailed traffic and parking report which was submitted with the application.</p> <p>The matter has been reviewed by Councils Traffic Unit. The existing site contains 71 onsite car parking spaces, and an additional 2 parallel spaces are proposed and are considered satisfactory.</p>

STANDARD	BDP 2015	
	REQUIRED	COMPLIANCE
Parking requirements for people with disabilities	Development should provide special parking spaces for people with disabilities at the rate of at least one car space per 100 car spaces provided.	Yes. 2 disabled parking spaces are provided within current provisions. Considering 81 car parking spaces are proposed, the existing provision comply with the minimum of 1.
Section 3– Off-Street Parking Design and Layout		
Parking location	Parking areas for people with disabilities should be close to an entrance to development. Access from the parking area to the development should be by ramps or lifts where there are separate levels.	Yes. Parking areas for disabled people have been provided close to the entrance of the development. The proposed development has been referred to councils Traffic Unit where no objections were raised.
Minimum parking bay dimensions	The following minimum dimensions are generally required for each parking space. <ul style="list-style-type: none"> - Length 6m - Width 3.2m 	Yes. Parking bay dimensions have been referred to councils' Traffic Unit where no objections were raised.
Parking bay dimensions for people with disabilities and residential garages	Parking bay dimensions for people with disabilities. <ul style="list-style-type: none"> - Length 6.0m - Width 3.2m 	Yes. Parking bay dimensions have been referred to councils' Traffic Unit where no objections were raised.
Section 4 – Off Street Parking Access and Circulation		
Access driveway width and design	<p>The location of driveways to properties should allow the shortest, most direct access over the nature strip from the road.</p> <p>The appropriate driveway width is dependent on the type of parking facility, whether entry and exit points are combined or separate, the frontage road type and the number of parking spaces served by the access facility.</p>	<p>Yes. The proposed new driveway providing an additional exit to the development site is sited and designed to allow the shortest, most direct access over the nature strip from the road.</p> <p>Yes. It has been determined that the driveway widths are appropriate in accommodating the development.</p>

STANDARD	BDCP 2015	
	REQUIRED	COMPLIANCE
Section 5 – Other Considerations		
Safety and security	Car parking safety can be enhanced with good visibility, security, lighting and good pedestrian and car parking layouts.	Yes. The carparking layout continues to allow good visibility, security, lighting and good pedestrian and car parking access.
Sight distance requirement	For all development, adequate sight distance must be provided for vehicles exiting driveways. Clear sight lines are to be provided at the street boundary to ensure adequate visibility between vehicles on the driveway and pedestrians on the footway and vehicles on the roadway. Refer to Australian Standard 2890.1 for minimum sight distance requirements.	Yes. Adequate sight distance has been provided for vehicles existing. This matter has been referred to councils' engineers and traffic unit where not objections were raised.
Pedestrian access	Parking areas should be designed so that through-traffic is excluded, and pedestrian entrances and exits are separate from vehicular entrances and exits.	Yes. Pedestrian entrances have been kept separate from vehicular entrances and exits.
Sign posting and line marking	Parking for people with disabilities should be clearly marked with signs and stenciled disabled symbol on the surface. The space should be painted blue.	Yes. This matter has been referred to councils' engineers and traffic unit where not objections were raised subject to conditions.
Bicycle parking to be in accordance with AS2890.3:2015	Council may require development to provide appropriate bicycle parking facilities either on-site or close to the development as identified in Australian Standard 2890.3–Bicycle Parking Facilities.	Yes. 8 visitor and 1 staff bicycle parking spaces are provided. The spaces are located on-site and in proximity to meeting room 2.
BDCP 2015 Part B12 – Flood Management		
Section 3 - Controls		
Development controls	The development controls to achieve the objectives.	Yes. The proposed development achieves the relevant objectives of Section 3.2.1.
Perspective Controls	Schedules 3 and 4 outline the controls relevant to each of the floodplains to which this Plan applies.	Yes. The matters have been referred to Councils Development Engineer. Subject to conditions the development is considered to satisfy the relevant controls.

STANDARD	BDCP 2015	
	REQUIRED	COMPLIANCE
Section 5 - Fencing		
Development Controls	The development controls to achieve the objectives	Yes. The proposed development achieves the relevant objectives of Section 5.2.1.
Prescriptive controls	<p>An applicant will need to demonstrate that the fence (new or replacement fence) would create no impediment to the flow of floodwaters. Appropriate fences must satisfy the following:</p> <ul style="list-style-type: none"> • an open collapsible hinged fence structure or pool type fence, or louver fencing; • other than a brick or other masonry type fence (which will generally not be permitted); or • a fence type and siting criteria as prescribed by Council. 	Yes. The location of the proposed fences is not on land classified as being flood affected. However, the northern areas of the lot may be subject to stormwater induction. The proposed fences are unlikely to affect the natural flow of flood waters.
Section 6 – Schedules		
Schedule 1 – Flood Compatible Materials		
Flood Compatible Material	<p>Building Components</p> <p>Flooring and Sub-floor Structure</p> <p>Doors</p> <p>Floor Covering</p> <p>Wall and Ceiling Linings</p> <p>Wall Structure</p> <p>Insulation and Windows</p> <p>Roofing Structure</p> <p>Nails, Bolts, Hinges and Fittings</p> <p>Electrical and Mechanical Equipment</p> <p>Heating and Air Conditioning Systems</p> <p>Main power supply</p> <p>Fuel.</p>	Yes. The matters have been referred to Councils Development Engineer. Subject to conditions the development is considered to satisfy the relevant controls in relation to flooding.
BDCP 2015 Part B13 – Waste Management and Minimisation		
Section 2 – Demolition and Construction		
Development controls	All development applications are to be accompanied by a Waste Management Plan prepared in accordance with the Waste Management Guide for New Developments and the Bankstown Demolition and Construction Guidelines.	Yes. A Waste Management plan was provided as a part of the application. The application has been referred to council Waste Service where no objections were raised. Therefore, subject to conditions the development is considered compliant.

STANDARD	BDCP 2015	
	REQUIRED	COMPLIANCE
Section 5 – Commercial Development		
Development must provide bin storage and separation facilities.	Development must provide bin storage and separation facilities.	Yes. A Waste Management plan was provided as a part of the application. The application has been referred to council Waste Service where no objections were raised. Therefore, subject to conditions the development is considered compliant.
	Development must provide an appropriate and efficient waste storage system that considers: (a) the volume of waste generated on-site; (b) the number of bins required for the development and their size; and (c) waste and recycling collection frequencies.	Yes. The development provides appropriate and efficient waste storage system. The proposed development has been referred to council Waste Service where no objections were raised.
	Bin storage areas are to integrate with the overall design and functionality of development and are to locate within the building envelope to enable these areas to be screened from view from the public domain.	Yes. Bin storage areas are considered to be well integrated into the overall design of the development.
	The design of the bin storage area must comply with the requirements of the Waste Management Guide for New Developments.	Yes. The proposed bin storage area has been referred to council Waste Services where no objections were raised.
	An on-site collection point is to be nominated for development. The location of the collection point must allow collection vehicles to enter and exit the site in a forward direction and allow all vehicle movements to comply with AS 2890.2. The location of the collection point must ensure waste servicing does not impact on any access points, internal roads and car parking areas.	Yes. An onsite collection point has been provided. The matter has further been referred to council Traffic Unit and Engineers and no objections were raised.
	Waste collection frequency is to be a minimum of once per week.	Yes. The provided Traffic Report proposes refuse collection once a week with a duration of 30-60 minutes which complies with minimum once per week.

Bankstown Section 94A Development Contributions Plan 2009

There are no Development Contributions applicable to the proposed development.

Planning agreements [section 4.15(1)(a)(iia)]

There are no planning agreements applicable to the proposed development.

The regulations [section 4.15(1)(a)(iv)]

The proposed development is not inconsistent with the provisions of the Environmental Planning and Assessment Regulation, 2000.

The likely impacts of the development [section 4.15(1)(b)]

The proposed development is not considered likely to result in any significant detrimental environmental, social or economic impacts on the locality. As detailed in this report, the design of the overall development has been revised to ensure compliance with the BDCP 2015 and all potential issues have been addressed. The development is therefore considered worthy of support and the potential impacts of the proposed development acceptable.

Suitability of the site [section 4.15(1)(c)]

The proposed development is permissible on the subject site and presents a built form that is compatible with the existing and desired future character of the locality. As a result, the site is considered to be suitable for the proposed development.

Submissions [section 4.15(1)(d)]

The application was advertised during the periods of 4 August 2021 to 24 August 2021. During this period 1 submission was received.

The issues raised in those submissions have been summarised below:

- **the proposed facility does not include other facilities such as Basketball Court, Tennis Court and Swimming Pool**

Comment - The issue raised including the provision of additional facilities in the future is a matter for Council and not the subject of this application and this application.

The public interest [section 4.15(1)(e)]

With regard to the relevant planning considerations, it is concluded that the proposed development would not contravene the public interest.

CONCLUSION

The Development Application has been assessed in accordance with the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979*, State Environmental Planning Policy No. 55 – Remediation of Land, State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017, Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment, Bankstown Local Environmental Plan 2015, Bankstown Development Control Plan 2015 and Draft Consolidated Canterbury Bankstown Local Environmental Plan 2020.

The proposal has demonstrated compliance with the relevant provisions. As a result, approval for the development application is recommended subject to Conditions of Consent.

RECOMMENDATION

It is recommended that:

1. Development Application No. 539/2021 be approved subject to the attached conditions included at **Attachment B**.

CONDITIONS OF CONSENT

- 1) The proposal shall comply with the conditions of Development Consent. A Construction Certificate shall not be issued until the plans and specifications meet the required technical standards and the conditions of this Development Consent are satisfied.
- 2) Development shall take place in accordance with Development Application No.539/2021, submitted by Terroir Pty Ltd accompanied by the drawings as listed in the table below, and affixed with Council's approval stamp, except where otherwise altered by the specific amendments listed hereunder and/or except where amended by the conditions contained in this approval.

Drawing No.	Drawing Title	Revision	Dated	Prepared by
DA-10-00	Site Analysis and Demo Plan	1	28/06/2021	Terroir
DA-20-15	Site Plan	1	28/06/2021	Terroir
DA-20-00	Floor Plan	1	28/06/2021	Terroir
DA-20-01	Roof Plan	1	28/06/2021	Terroir
DA-20-10	Elevations	1	28/06/2021	Terroir
DA-20-15	External Windows and Schedule	1	28/06/2021	Terroir
DA-20-20	Sections	1	28/06/2021	Terroir
DA-10-02	Material Schedule and External Colours and Finished	1	28/06/2021	Terroir
401	Softworks Plan	C	18/06/2021	Terroir
601	Landscape Details	C	18/06/2021	Terroir
700	Landscape Specification	C	18/06/2021	Terroir
HY-101	Hydraulic Services Site Plan	2	18/06/2021	Terroir
HY-102	Hydraulic Services Ground Floor	2	18/06/2021	Terroir
HY-103	Hydraulic Services Ground Floor	2	18/06/2021	Terroir
C3.1	Internal Civil Works Concept Stormwater Management & Levels Plan	A	24/06/2021	Terroir
C3.2	Internal Civil Works Long Section	A	24/06/2021	Terroir
-	Operational Plan of Management	-	30/09/2021	Canterbury Bankstown Council
-	Waste Management Plan	-	June 2021	-
-	Transport Impact Assessment	B	3/1/22	Peopletrans

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

Prior to the release of a Construction Certificate the following conditions MUST be satisfied and nominated fees/contributions/bonds paid:

- 3) The Certifying Authority must ensure that any certified plans forming part of the Construction Certificate are not inconsistent with this Development Consent and accompanying plans.
- 4) The Landscape Plan by Arcadia, Issue C, Dated June 21 shall be amended to include the comments noted in "Tree Removal ; On Site", "Trees to be retained and Protected: On Site" & "Street Tree protection Measures" in the recommendations section "Conditions to be satisfied prior to construction".

The Landscape Plan shall also include comments noted in "Tree Planting: On Site" in the recommendations section "Conditions to be satisfied prior to occupation".

The amended Landscape Plan shall be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

- 5) The Council Approved building plans, including demolition plans, must be submitted to Sydney Water for assessment. This will determine if the proposed structure(s) would affect any Sydney Water infrastructure or if there are additional requirements. Building plan approvals can be submitted online via Sydney Water Tap in™.

Please refer to www.sydneywater.com.au/tapin

For Sydney Water's Guidelines for building over or next to assets, visit www.sydneywater.com.au 'Plumbing, building & developing' then 'Building Plan Approvals' or call 13000 TAPIN.

Prior to release of a construction certificate Sydney Water must issue either a Building Plan Assessment letter which states that your application is approved, or the appropriate plans must be stamped by a Water Servicing Coordinator.

- 6) A Construction Certificate shall not be issued until written proof that all bonds, fees and/or contributions as required by this consent have been paid to the applicable authority.
- 7) A long service levy payment which is 0.35% of the total cost of the work is to be paid to the Building and Construction Industry Long Service Payments Corporation.
- 8) Finished surface levels of all internal works and at the street boundary, including driveways, landscaping and drainage structures, must be as shown on the approved plans. The levels at the street boundary must be consistent with the Street Boundary Alignment Levels issued by Council.

- 9) Where Council approved cut or fill exceeds 200mm and stable batter of 1 vertical to 3 horizontal maximum grade cannot be achieved, then a masonry or other proprietary material retaining wall, intended and suitable for that purpose, shall be constructed within the development site. Note, filling of the site needs specific approval from Council.

The retaining wall shall be located so that it will not impede or obstruct the natural flow of stormwater. Retaining walls exceeding 600mm in height shall be designed by a qualified professional Civil/Structural Engineer. Plans and details prepared and signed by the Engineer are to be submitted to the Principal Certifying Authority (PCA) prior to the issue of the Construction Certificate.

All works associated with the construction of the wall, including backfilling and drainage, is to be located wholly within the allotment boundaries.

- 10) A Work Permit shall be applied for and obtained from Council for the following engineering works in front of the site, at the applicant's expense:
- a) Extra Heavy duty VFC at the property boundary on Lowana Street.
 - b) Drainage connection to Council's system.
 - c) Removal of all driveway surfaces, reinstatement of laybacks to kerb and gutter and reshaping of the footway, all associated with redundant VFCs.
 - d) Repair of any damage to the public road including the footway occurring during development works.
 - e) Reinstatement of the footway reserve and adjustment or relocation of existing public utility services to match the footway design levels as proposed on the approved Work Permit. Adjustment or relocation to any public utility services shall be carried out to the requirements of the public utility authority.

Note: As a site survey and design is required to be prepared by Council in order to determine the necessary information, payment for the Work Permit should be made at least twenty one (21) days prior to the information being required and must be approved prior to the issue of the Construction Certificate.

- 11) Stormwater drainage from the development shall be designed so as to comply with Council's Development Engineering Standards and the requirements of the BASIX Certificate. A final detailed stormwater drainage design shall be prepared by a qualified Professional Civil Engineer in accordance with the above requirements and shall generally be in accordance with the concept stormwater plan. Rev A dated 24/6/2021 prepared by NORTHROP. The final plan shall be certified by the design engineer that it complies with Council's Development Engineering Standards, the BASIX Certificate and the relevant Australian Standards.
- 12) A soil erosion and sediment control plan must be prepared by a suitably qualified professional in accordance with Council's Demolition and Construction Guidelines and Development Engineering Standards and submitted to the certifier for approval prior to the issue of a construction certificate.

- 13) The layout of the proposed car parking areas associated with the subject development including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) shall be in accordance with the Australian Standard AS 2890 parking series.
- 14) The subject site is affected by local overland flooding and shall comply with the following:
 - a) The minimum floor level of the proposed structure(s) shall be constructed to RL 28.5m AHD including freeboard. All approved construction details shall be consistent with this requirement.
- 15) The Council approved building plans, including demolition plans, must be submitted to Sydney Water for assessment. This will determine if the proposed structure(s) would affect any Sydney Water infrastructure or if there are additional requirements. Building plan approvals can be submitted online via Sydney Water Tap in™.

Please refer to www.sydneywater.com.au/tapin

For Sydney Water's Guidelines for building over or next to assets, visit www.sydneywater.com.au 'Plumbing, building & developing' then 'Building Plan Approvals' or call 13000 TAPIN.

Prior to release of a construction certificate Sydney Water must issue either a Building Plan Assessment letter which states that your application is approved, or the appropriate plans must be stamped by a Water Servicing Coordinator.

- 16) A long service levy payment which is 0.35% of the total cost of the building work is to be paid to the Building and Construction Industry Long Service Payments Corporation.
- 17) As any works within, or use of, the footway or public road for construction purposes requires separate Council approval under Section 138 of the Roads Act 1993 and/or Section 68 of the Local Government Act 1993, Council requires that prior to any Construction Certificate for this development being issued, evidence of lodgement of an application for a Works Permit and or a Roadway/Footpath Building Occupation Permit shall be obtained where one or more of the following will occur, within, on or over the public footway or public road:

A PRIVATE CERTIFIER CANNOT ISSUE THESE PERMITS

WORKS REQUIRING A 'WORKS PERMIT'

- a) Dig up, disturb, or clear the surface of a public footway or public road,
- b) Remove or interfere with a structure or tree (or any other vegetation) on a public footway or public road,
- c) Connect a road (whether public or private) to a classified road,

- d) Undertake footway, paving, vehicular crossing (driveway), landscaping or stormwater drainage works within a public footway or public road,
- e) Install utilities in, under or over a public road,
- f) Pump water into a public footway or public road from any land adjoining the public road,
- g) Erect a structure or carry out a work in, on or over a public road
- h) Require a work zone on the public road for the unloading and or loading of vehicles
- i) Pump concrete from within a public road,
- j) Stand a mobile crane within a public road
- k) Store waste and recycling containers, skips, bins and/or building materials on any part of the public road.
- l) The work is greater than \$25,000.
- m) Demolition is proposed.
- n) Subdivision is proposed.
- o) A Swimming pool is proposed.

Assessment of Works Permits (a to e) includes the preparation of footway design levels, vehicular crossing plans, dilapidation reports and issue of a Road Opening Permit.

All proposed works within the public road and footway shall be constructed under the supervision and to the satisfaction of Council. The applicant/developer shall arrange for necessary inspections by Council whilst the work is in progress.

For commercial or multi-unit residential developments within the designated CBD or an urban village area, footway design and construction and street tree supply, installation and tree hole detailing shall be as per the Council master plan for that area. Full width footways are to be supplied and installed at full cost to the developer to specification as supplied by Council. Layout plan of pavement to be submitted to Council for approval prior to the issue of the Works Permit.

All Council fees applicable, minimum restoration charges and inspection fees shall be paid prior to the assessment of the Work Permit in accordance with Council's adopted fees and charges. Note: Additional fees after approval will be charged where the Work Permit requires occupation of the Road or Footpath ie Hoardings, Work Zones etc.

In determining a Works Permit, Council can impose conditions and require inspections by Council Officers.

Forms can be obtained from Council's Customer Service counter located on the ground floor of Council's administration building at 66 - 72 Rickard Road, Bankstown or Council's website www.cbcity.nsw.gov.au

Part of any approval will require the person or company carrying out the work to carry public liability insurance to a minimum value of ten million dollars. Proof of the policy is to be provided to Council prior to commencing any work approved by the Work Permit including the Road Opening Permit and must remain valid for the duration of the works.

The commencement of any works on public land, including the footway or public road, may incur an on the spot fine of not less than \$1100 per day that work continues without a Works Permit and/or a Roadway/Footpath Building Occupation Permit.

All conditions attached to the permit shall be strictly complied with prior to occupation of the development. Works non-conforming to Council's specification (includes quality of workmanship to Council's satisfaction) shall be rectified by the Council at the applicant's expense.

18) A design certificate and detailed plans are to accompany any Construction Certificate (CC) application which demonstrate that the waste storage room has been designed to be constructed in accordance with the Waste Management Guide for New Developments and including the following requirements:

- a. Floors must be constructed of concrete at least 75mm thick and graded and drained to a Sydney Water approved drainage fitting.
- b. The floors must be finished so that is non-slip and has a smooth and even surface.
- c. The room is to be integrated within the building, a minimum 2.1m unobstructed room height is required in accordance with the Building Code of Australia;
- d. The walls must be constructed of solid impervious material.
- e. The ceilings must be finished with a smooth faced non-absorbent material capable of being cleaned.
- f. Walls, ceiling and floors must be finished in a light colour.
- g. Is to be provided with an adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock.
- h. A self-closing door openable from within the room.
- i. Must be constructed to prevent the entry of birds and vermin.
- j. Be provided with adequate light and ventilation. Light source must be through controlled light switches located both outside and inside the room.
- k. Any doorways and pathways to and from the Waste Storage Room must be 2m wide.
- l. Designed to fit 2 x 240L recycling bins
- m. Designed to fit 1 x 240L garbage bins
- n. Designated 1m x 1m area for the holding of a compost bin or worm farm for on-site food waste segregation and recycling (if present).

19) A design certificate and detailed plans are to accompany any CC application which demonstrate that the bin carting route from the waste storage room to nominated collection point has been designed to be constructed in accordance with the following requirements:

- a. Direct and less than 10 metres,
 - b. Minimum 2m wide hard surface;
 - c. Non-slip, free from obstacles and steps;
 - d. Not within a driveway or carpark, this is considered a conflict point for vehicles and collection staff;
 - e. A maximum grade of 1:30 (3%); and
 - f. Layback installed at the nominated collection point.
- 20) A design certificate and detailed plans certified by a traffic engineer are to accompany the CC application that confirms that the development can be accessed and serviced by Development that has a waste storage room proposed nominated Heavy Rigid Vehicle waste collection vehicle in accordance with the Waste Management Guide for New Developments. The plans are to specifically demonstrate that the path of travel for the waste collection vehicle to the nominated collection area (which includes all entrance/exit, internal driveways, vehicle ramps, loading docks and basement) has been designed in accordance with AS2890.2-2004 for a Heavy Rigid Vehicle.
- The design certificate is also to confirm that the internal driveway, cross over, entry/egress points have been designed to meet the following loading requirements (as per AS2890.2-2004 for a Heavy Rigid Vehicle):
- (a) 30 tonne waste collection vehicles
 - (b) Turning circle of 25 metres
 - (c) Length of 12 metres
 - (d) Clearance height of 4.5 metres (6m if using hook lift bins)
- 21) Parking restrictions (ie. No Stopping zone and P10 Minutes parking on the indented parking bay) including 'No Entry' and 'No Left Turn (Vehicles over 6m)' are to be installed along Lowana Street and Alcoomie Street, as shown on the signage plan at Appendix B of the Transport Impact Assessment, issue B, dated 3/1/22 prepared by PeopleTrans, subject to Traffic Committee and Council approval processes. The changes to the parking restrictions along Lowana Street and Alcoomie Street are to be referred to the Traffic Committee for approval at its next available meeting. The Applicant is to be required to undertake consultation with the affected residents regarding the proposed changes to the parking restrictions prior to Traffic Committee consideration and the results of the consultation process are to be submitted to Council's Traffic Unit for inclusion in the Traffic Committee report. All costs associated with the supply and installation of the appropriate signs are to be paid for by the Applicant at no cost to Council.
- 22) A Construction Traffic Management Plan (CTMP) / Site Pedestrian Traffic Management Plan (SPTMP) shall be required to be submitted six months prior to the commencement of works on the site, for both demolition and construction phases of the development / project.

Prior to the issue of any Construction Certificate for this development, the applicant must obtain approval from Council's Traffic and Transport Section for a Site, Pedestrian and Traffic Management Plan (SPTMP). This Plan must address the measures that will be implemented for pedestrian safety and traffic management as specified below.

A PRIVATE CERTIFIER CANNOT APPROVE YOUR SITE, PEDESTRIAN & TRAFFIC MANAGEMENT PLAN

This plan shall include details of the following:

- a) Proposed ingress and egress points for vehicles to and from the construction site;
- b) Proposed protection of pedestrians, adjacent to the construction site;
- c) Proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- d) Proposed method of loading and unloading excavation machines, building material, construction materials and waste containers during the construction period;
- e) Proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc. are required to be displayed and shall be in accordance with Council's and the NSW Roads and Maritime Services requirements and AS1742.3.
- f) Proposed route for transportation of bulk and excavation materials to and from the development site.

The route for transportation to and from the development site of bulk and excavation materials shall generally be by the shortest possible route to the nearest "State Road" via "Regional Roads", with every effort to avoid school zones on public roads. Alternate longer routes will only be considered in order to bypass school zones during school zone hours. If school zones cannot be avoided no heavy construction vehicle movements are to arrive or depart the site during signposted school zone periods 8:00am - 9:30am and 2:30pm - 4:00pm on school days.

An Agreement to Council's satisfaction, signed by the applicant/owner specifying the approved route and acknowledging responsibility to pay Council to rectify damages to public property adjacent to the site as a consequence of building works shall be lodged with Council prior to release of any Construction Certificate.

Damage will be rectified as required by Council to remove unsafe conditions. All damage must be rectified upon completion of work to the satisfaction of Council.

The approved Site, Pedestrian and Traffic Management Plan is to be implemented prior to the commencement of any works on the construction site.

In addition a RMS Approval / Road Occupancy Licence will be required for works on Regional or State Roads or within 100m of a traffic facility including roundabouts and traffic signals. Refer to Council's Development Engineering Standards for a list of Regional and State Roads.

CONDITIONS TO BE SATISFIED PRIOR TO CONSTRUCTION WORKS COMMENCING

- 23) The building work in accordance with the development consent must not be commenced until:
- a. a construction certificate for the building work has been issued by the council or certifier, and
 - b. the person having benefit of the development consent has:
 - i. appointed a principal certifier for the building work, and
 - ii. notified the principal certifier that the person will carry out the building work as an owner-builder, if that is the case, and
 - c. the person having the benefit of the development consent, if not carrying out the building work as an owner-builder, has:
 - i. appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - ii. notified the principal certifier of any such appointment, and
 - iii. unless the person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
 - d. the person having the benefit of the development consent has given at least 2 days' notice to the council of the person's intention to commence the building work.
- 24) Existing trees within the vicinity of the construction works or paths of travel for construction vehicles accessing the development that are to be retained shall be protected with temporary fencing of a style non injurious to tree roots, placed 2m from the trunk base of the existing tree to prevent damage during construction, and retained in accordance with Council's Tree Preservation Order. There is to be no stockpiling of materials within the 2m fenced zone.
- 25) Suitable erosion and sediment control measures shall be erected in accordance with the plans accompanying the Construction Certificate prior to the commencement of construction works and shall be maintained at all times.
- 26) Council warning sign for Soil and Water Management must be displayed on the most prominent point of the site, visible to both the street and site works. The sign must be displayed throughout the construction period.
- 27) Prior to the commencement of work, the applicant must provide a temporary on-site toilet if access to existing toilets on site is not adequate.

- 28) A compliance certificate must be obtained from Sydney Water under section 73 of the Sydney Water Act 1994. An assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to the mains.

A section 73 Compliance Certificate must be completed before an occupation certificate will be issued. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to sydneywater.com.au/section73 or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

- 29) Prior to the commencement of work, a fence must be erected around the area of the works, except where an existing 1.8m high boundary fence is in good condition and is capable of securing the area. Any new fencing shall be temporary (such as cyclone wire) and at least 1.8m high. All fencing is to be maintained for the duration of construction to ensure that the work area is secured.

Where the work is located within 3.6m of a public place then a Type A or Type B hoarding must be constructed appropriate to the works proposed. An application for a Work Permit for such hoarding must be submitted to Council for approval prior to the commencement of work.

- 30) A sign shall be displayed on the site indicating the name of the person responsible for the site and a telephone number of which that person can be contacted during and outside normal working hours or when the site is unattended.
- 31) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- showing the name, address and telephone number of the principal certifying authority for the work, and
 - showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- 32) Approval is granted for the removal of the following trees:

- Any trees where the base of the trunk of the tree is located within 3 metres of the external wall of an approved dwelling;

- Any declared noxious plant. The applicant, builder and all contractors are to ensure that all noxious plants are properly identified, controlled and/or removed on this site without injury or death of any protected plants;
- Any tree species listed under clause 2.4 of Bankstown Development Control Plan 2015 Part B11 – Tree Management Order;
- Any of the following trees:

Tree Species	Location
5 x <i>Eucalyptus paniculata</i> (Grey Ironbark)	T4-T8 in construction footprint as per Arborists Report

All tree removal works must comply with the Amenity Tree Industry – Code of Practice, 1998 (Workcover, NSW) and Guide to Managing Risks of Tree Trimming and Removal Work (Safe Work Australia 2016).

All other vegetation not specifically identified above, and protected by Councils Tree Management Order, is to be retained and protected from construction damage and pruning. The Tree Management Order protects trees over 5m in height.

- 33) The following tree/s shall be retained and protected from removal and damage for the duration of the development:

Tree Species	Location	Protection Zones*
2 x <i>Eucalyptus tereticornis</i> (Forest red gum)	T2 & T3 as per plan in Arborist Report on western side of proposed development construction site	TPZ 4.2m SRZ 2.5m
3 x <i>Eucalyptus paniculata</i> (Grey Ironbark)	T9, T10 & T11 as per plan in Arborist Report on eastern side of the proposed development construction site	TPZ 4.2m SRZ 2.0m

* TPZ and SRZ in metres measured from the centre of the trunk of the tree.

Tree protection measures shall comply with Australian Standard AS4970-2009 Protection of trees on development sites, together with the following conditions:

- The tree/s to be retained and protected together with their relevant Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) shall be marked on all demolition and construction drawings.
- All contractors and workers on site shall be briefed on the tree protection and management procedures in place as part of their site induction. A written record of the induction process is to be kept on site.
- A designated Tree Protection Zone shall be created on site by erecting a tree protection fence at n metre radius from the trunk of the scientific name (Common name). The fence is to be constructed of chain wire mesh 1.80 metres high supported by steel posts. The fence is to be installed prior to demolition / construction, shall not be removed or altered, and is to remain in place for the duration of the site works;

- The applicant will display in a prominent location on the tree protection fence a durable, weather resistant sign of a similar design, layout and type size as per Appendix C, Australian Standard AS4970-2009 Protection of trees on development sites clearly showing:
 - a. The Development Consent number;
 - b. The name and contact phone number of the consultant arborist / site manager (nominate whoever is applicable);
 - c. The purpose of the protection zone;
 - d. The penalties for disregarding the protection zone;
 (Note to user: delete any of a – d as appropriate)
 - No vehicular access, excavations for construction or installation of services shall be carried out within the fenced Tree Protection Zone.
 - All utility services, pipes, stormwater lines and pits shall be located outside the fenced Tree Protection Zone.
 - Building materials, chemical storage, site sheds, wash out areas, and similar shall not be located within the fenced Tree Protection Zone.
 - Trees marked for retention must not to be damaged or used to display signage, or as fence or cable supports for any reason.
 - If tree roots are exposed during approved works, roots with a diameter less than 25mm are to be pruned cleanly using sharp hand tools and not torn or ripped by machinery. Tree roots greater than 25mm in diameter are to be assessed by a qualified arborist - minimum Australian Qualification Framework (AQF) Level 4 or equivalent – before any pruning work is undertaken. If necessary, changes in design or relocation of works may be required.
- 34) The applicant shall ensure full compliance with the recommendations numbered 3.1-3.9 in the Arborist Report prepared by Tree IQ, Project no.Thur/Comm/21, Revision A, dated 24/5/21, which was submitted to Council as part of this application.
- 35) No excavation, trenching, soil level changes or filling shall be carried out within the Tree Protection Zone / Structural Root Zone / 3 metres of trees to be retained, unless specifically approved in the Development Consent. Any additional excavation, trenching, soil level changes or filling can only be carried out with the approval of the project arborist or Council.
- 36) Underground services should use common trenches outside the Tree Protection Zone. If services need to be run within the Tree Protection Zone then all utility pipes and similar are to be installed using appropriate directional boring techniques. No tree roots are to be severed or damaged during this work.
- 37) The applicant shall ensure all overhead electrical wires between the power pole and approved structures are located outside the crowns of existing trees and in accordance with the clearances specified by the energy authority. The overhead wires are also to be located to avoid future conflict with any trees planted in accordance with the development consent.

- 38) The following street tree/s shall be retained and protected from removal and damage for the duration of the development:

Tree Species	Location	Protection Zones*
4 x <i>Corymbia maculata</i> (Spotted gum)	T12-T15 as per Arborist Report on the nature strip to the left hand side of the mowing entry gate	TPZ 4.2m SRZ 2.5m

* TPZ and SRZ in metres measured from the centre of the trunk of the tree.

Tree protection measures shall comply with Australian Standard AS4970-2009 Protection of trees on development sites, together with the following conditions:

- The trees to be retained and protected together with their relevant Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) shall be marked on all demolition and construction drawings.
- All contractors and workers on site shall be briefed on the tree protection and management procedures in place as part of their site induction. A written record of the induction process is to be kept on site.
- The area of Council's nature strip – excluding the concrete footpath – shall be fenced off for a distance of 2.5 metres radius measured from the trunk of the (4) *Corymbia maculata* (Spotted gum) located on Alcoomie Street outside Thurina Park adjacent to construction site prior to the commencement of demolition / construction. The tree protection fencing is to be constructed of chain wire mesh 1.80 metres high, supported by steel posts and shall remain in place throughout the duration of site works.
- The applicant will display in a prominent location on the fencing of each tree protection zone a durable, weather resistant sign of a similar design, layout and type size as per Appendix C, Australian Standard AS4970-2009 Protection of trees on development sites clearly showing:
 - a) The Development Consent number;
 - b) The name and contact phone number of the consultant arborist / site manager (nominate whoever is applicable);
 - c) The purpose of the protection zone;
 - d) The penalties for disregarding the protection zone;

NB: Delete any of a – d not applicable to the site
- No vehicular access, excavations for construction or installation of services shall be carried out within the fenced off Tree Protection Zone.
- All utility services, pipes, stormwater lines and pits shall be located outside the fenced off Tree Protection Zone.
- Building materials, chemical storage, site sheds, wash out areas, and similar shall not be located within the fenced off Tree Protection Zone.
- Trees marked for retention must not to be damaged or used to display signage, or as fence or cable supports for any reason.
- Pruning of Council street trees/s can only be carried out under the authority of a Works Permit approving tree pruning and in accordance with the conditions imposed.

CONDITIONS TO BE SATISFIED DURING CONSTRUCTION

- 39) Construction may only be carried out between 7.00 am and 6.00 pm on Monday to Friday, or between 8.00 am and 1.00 pm on Saturdays, and no construction is to be carried out at any time on a Sunday or a public holiday.
- 40) The building work must be carried out in accordance with the requirements of the Building Code of Australia.
- 41) An identification report by a registered surveyor must be submitted to the principal certifier prior to the ground floor slab being poured to verify the buildings wall setback and floor level conform to the approved plans.
- 42) All Civil and Hydraulic engineering works on site must be carried out in accordance with Council's Development Engineering Standards. All Civil and Hydraulic engineering works associated with Council's assets and infrastructure must be carried out in accordance with Council's Work Permit requirements and to Council's satisfaction.
- 43) All excavations and backfilling must be executed safely and in accordance with the relevant Australian Standards.
- 44) If soil conditions require it, retaining walls or other approved methods of preventing movement of the soil must be provided, and adequate provisions must be made for drainage. Separate approval may be required for retaining walls should they be required.
- 45) If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - a) protect and support the adjoining premises from possible damage from the excavation, and
 - b) where necessary, underpin the adjoining premises to prevent any such damage.
- 46) The stormwater drainage system shall be constructed in accordance with Council's Development Engineering Standards and the engineering plans and details approved by the Principal Certifying Authority (PCA). Should the developer encounter any existing, live, underground stormwater drainage pipes, which carry flow from upstream properties, the developer must maintain the stormwater flow and re-route the stormwater pipes around the subject building or structures at the developer's expense.

- 47) Prior to the commencement of work, the builder shall prepare a photographic record of the road reserve which clearly shows its condition prior to works occurring on site. For the entirety of demolition, subdivision or construction works, there shall be no stockpiling of building spoil, materials, or storage of equipment on the public road, including the footway and the road reserve shall be maintained in a safe condition at all times. No work shall be carried out on the public road, including the footway, unless a Work Permit authorised by Council has been obtained.
- 48) Should any suspect materials (identified by unusual staining, odour, discoloration or inclusions such as building rubble, asbestos, ash material, etc) be encountered during any stage of works (including earthworks, site preparation or construction works, etc) such works shall cease immediately until a qualified environmental specialist has been contacted and conducted a thorough assessment. In the event that contamination is identified as a result of this assessment and if remediation is required, all works shall cease in the vicinity of the contamination and Council shall be notified immediately.
- 49) Requirements of the approved WMP shall be complied with during all site preparation works, demolition (if proposed) and throughout all construction works.

When implementing the WMP the developer is to ensure:

- (a) The disposal of any demolition and construction waste must be undertaken in accordance with the requirements of the *Protection of Environment Operations Act 1997*
- (b) All waste on site is to be stored, handled and disposed of in such a manner as to not create air pollution, offensive noise or pollution of land and water as defined by the *Protection of Environment Operations Act 1997*
- (c) Generation, storage, treatment and disposal of hazardous waste is conducted in accordance with the relevant waste legislation administered by the EPA and relevant Occupational Health and Safety legislation administered by WorkCover NSW
- (d) All waste generated (including excavated materials) which cannot be reused or recycled must be transported to a facility which can lawfully accept it
- (e) Records are required regarding the details and location of the disposal of all demolition and construction waste (including excavated material) and must be outlined in the Waste Management Plan. Descriptions of waste are to be kept on site as evidences of lawful disposal. Records are to include receipts and weighbridge dockets which verify material types and volumes, time and date of disposal, waste vehicle rego, and confirmation of the waste disposal facility. Records/ details are also to be kept of person removing the waste.
- (f) All materials and resources that are to be stored on site during construction works are contained on the site, The provisions of the *Protection of Environment Operations Act 1997* must be complied with when placing/stock piling loose material, disposal of concrete waste or activities which have potential to pollute drains and water courses.

- (g) The storage of waste and recycling containers must be within the boundaries of the development site at all times. Public footways and roads must not be used for the storage of any waste and must be kept clear of obstructions during all construction works

CONDITIONS TO BE SATISFIED PRIOR TO OCCUPATION

- 50) An identification report by a registered surveyor must be submitted to the principal certifier to verify the buildings wall and roof eaves setback, floor level and height conform to the approved plans.
- 51) A section 73 Compliance Certificate under the Sydney Water Act 1994 must be submitted to the principal certifier before an occupation certificate will be issued.
- 52) The occupation or use of the building must not be commenced unless an occupation certificate has been issued for the building.
- 53) An Occupation Certificate for the completed development must not be issued until all conditions relating to demolition, building have been satisfied and Council has issued a Work Permit Compliance Certificate (where applicable).
- 54) The premises must be readily identified from the street with the allocated house numbers. Numbering of the development without Council's written approval is not permitted. An official "house numbering" letter will be sent to the applicant indicating the proposed house numbers of the new development. Note: The house numbers of the development are subject to change depending of the type on subdivision that may occur at a later stage.
- 55) A copy of the Work Permit Compliance Certificate shall be submitted to the PCA Prior to the issue of the Occupation Certificate.
- 56) Tree planting on site shall be as per planting schedule in the Landscape plan by Arcadia, Issue C, Dated June 21.
- 57) Prior to the issue of any OC, an authorised Council waste officer is to inspect and approve all waste management facilities to ensure they comply with the development approval, Waste Management Plan. Specifically, the path of travel for all waste, from point of disposal to point of waste collection, waste storage room sizing, access to water and sewer connections, finished materials, access and doorway dimensions, truck turntables, and that all waste facilities are fit for purpose.
- 58) Prior to the issue of any OC, a traffic engineer is to inspect and approve all waste vehicle access and manoeuvring/turning movements to ensure they comply with the development approval and design certificate, and that the development can be accessed and serviced by the nominated waste collection vehicle in accordance with the Waste Management Guide for New Developments. Specifically, the path of travel for the waste collection vehicle to the nominated collection area (which includes all

entrance/exit, internal driveways, vehicle ramps, loading docks and basement) has been designed in accordance with AS2890.2-2004.

ONGOING USE

- 59) The approved WMP is to be implemented throughout the ongoing use of the development. The WMP must outline who is responsible for ensuring allocated waste bins are available for weekly collection from the Waste Storage Room when hirers are not present.
- 60) The development must operate in full compliance with Council's Waste Management collection requirements
- 61) The nominated on-site collection point is to be utilised to facilitate the collection of waste and recycling bins for the development. The on-site collection point is always to be kept clear of obstructions so not to restrict the collection of waste and recycling bins.
- 62) The temporary bin holding area will be required to be of sufficient size to allow the temporary storage of all allocated bins for the development. Developments proposing a temporary holding area will require a caretaker to transfer all allocated bins from the bin storage area to the temporary holding area the day before the designated collection day and return them once emptied
- 63) All businesses must have written evidence on site of a valid and current contract with a licenced waste collector for waste and recycling collection disposal. You must be able to show your waste collection contract if it is requested by a Council Enforcement Officer.
- 64) Contracts (or agreements) with hirers must clearly outline the waste management and collection system and must clearly identify everyone's role and responsibility. This is to include:
 - (a) Responsibility for cleaning and maintaining waste storage bins and containers
 - (b) Responsibility for cleaning and maintaining waste storage room
 - (c) Responsibility for the transfer of bins to the nominated collection point
 - (d) Method of communication to new hirers concerning the developments waste management system.
 - (e) Responsibility for maintaining the onsite compost bin or worm farm
- 65) No waste storage containers are to be located or placed outside the approved waste storage area at any time except for collection purposes.
- 66) Adequate signage is to be provided and maintained on how to use the waste management system and what materials are acceptable for recycling within all waste storage areas of the development. Signage is also to be provided and maintained which clearly identifies which bins (and containers) are to be used for general waste and recycling and what materials can be placed in each bin.

- 67) The largest delivery vehicle to be used by the proposed development on a regular basis is to be restricted to a 7.7m bus.
- 68) The ongoing use is to comply with the operational plan of management dated 30 September 2021.

-END-

ITEM 3	Application to Amend Bankstown Local Environmental Plan 2015: 1 and 1A North Terrace, Bankstown (RZ-5/2019)
APPLICANT	Vicinity Centres
OWNERS	Vicinity Centres
AUTHOR	Planning

PURPOSE AND BACKGROUND

This report considers a Planning Proposal application for the site at 1-1A North Terrace, Bankstown to amend building height, Floor Space Ratio, and residential restrictions on development in Zone B4 Mixed Use for the site at 1 and 1A North Terrace, Bankstown.

ISSUE

Council is in receipt of an application to prepare a Planning Proposal for the site known as the “Bankstown Central” shopping centre located at 1 and 1A North Terrace, Bankstown. The application seeks to amend the building height, Floor Space Ratio (FSR) and restrictions on development relating to ground and first floor residential uses in Zone B4 Mixed Use (Clause 6.9) within the Bankstown Local Environmental Plan 2015 (BLEP 2015). The Planning Proposal does not propose any change to the B4 Mixed Use Zoning of the site and will facilitate residential apartments (including ‘build to rent’), hotel accommodation, student accommodation, serviced apartments, commercial office and new retail floor space on the site.

The Planning Proposal aims to redistribute the substantial density currently permitted on site towards the Bankstown railway station and future Metro station. Increased height controls are also proposed in this area to deliver taller towers commensurate with those proposed for similar sites under the Bankstown Masterplan. The proposed changes would increase the overall Floor Space Ratio (FSR) for the site by 12% from a maximum 3.5:1 to 3.9:1. The envisaged development would be delivered in several stages taking into consideration commercial leases currently in place over the site.

At 114,073m² (11.4ha) the subject land is the largest landholding in the CBD and is one of the most significant proposals in the Canterbury Bankstown Local Government Area (LGA) in terms of projected jobs growth, housing and economic investment. The Planning Proposal would facilitate a total of approximately 8,437 additional jobs when the site is fully redeveloped which is 60% of Council’s target of 14,000 new jobs in the Bankstown CBD by 2036 as outlined in the adopted Bankstown City Centre Master Plan.

The Planning Proposal would create capacity for approximately 1,255 new dwellings plus 694 student housing units, equivalent to around 10% to 15% of the CBD's target of 12,500 dwellings by 2036 in Council's Housing Strategy. The proposal achieves consistency with the applicable State Government and Council Strategic Policies as it would facilitate a development outcome that would be consistent with Council's policies including the Local Strategic Planning Statement (LSPS) "Connective City 2036", the Employment Lands Strategy, Housing Strategy and Affordable Housing Strategy, the Bankstown Complete Streets CBD Transport and Place Plan and the Bankstown Master Plan. The Planning Proposal is also consistent with the Greater Sydney Commission's objectives in the Greater Sydney Region Plan – South District Plan, and the Collaboration Area Bankstown CBD and Bankstown Airport Place Strategy.

In accordance with the proponent's Letter of Offer and subject to the preparation of a draft Planning Agreement between Council and the proponent, the Planning Proposal would facilitate delivery of the following public benefits and required infrastructure works and upgrades:

- 5,000m² publically accessible open space (Public Park) along Rickard Road including a playground and urban plaza.
- Extension of Jacobs Street between The Mall and North Terrace into a shared bus and pedestrian way.
- 1,000m² multi-purpose indoor facility including two sports courts or cash contribution up to a value of \$4 million dollars to Council to deliver this facility elsewhere in the CBD.
- 200m² of 'Incubator Space' for business 'start-ups' to be fitted out as a warm shell open plan layout suitable for use as office space.
- Completion of proposed town centre separated cycleway along Rickard Road and Appian Way frontages to the site in accordance with Bankstown 'Complete Streets' requirements.

Further to the above, the proponent has provided a Statement of Intent regarding the provision of affordable housing in the event the minimum non-residential floor is not delivered on the site. The proponent has also committed to the delivery of public art throughout the site which will be informed by a Public Art Plan to be prepared by the proponent prior to exhibition and will include details of Aboriginal heritage interpretation.

Under the existing planning controls in the Bankstown Local Environmental Plan 2015, the site benefits from significant development potential of around 400,000m² Gross Floor Area (GFA) and could be developed up to its current maximum FSR of 3.5:1 when sustainability bonuses are applied and a maximum building height of 35m to 41m across the site (equivalent to 10 to 12 storeys). This could include a mixture of residential and retail development. The key outcome of the proposal is a long term restructuring of the site to facilitate a genuine mixed use precinct that proposes to use the increased GFA of around 48,000m² (a 12% increase) to deliver a built form outcome that is consistent with the Bankstown Master Plan and concentrating densities around the rail station.

A detailed assessment of the application submitted to Council indicates the proposal demonstrates strategic and site specific merit as it would:

- Provide development capacity that is consistent with the strategic policy direction and vision for Bankstown CBD as the City's preeminent Strategic Centre as set out in Council's Local Strategic Planning Statement and the Bankstown Masterplan.

- Result in approximately 8,437 additional jobs which is 60% of Council's target of 14,000 new jobs in the Bankstown CBD by 2036 as outlined in the adopted Bankstown City Centre Master Plan.
- Allow the significant existing development capacity of the site to be refocussed towards the future Metro Station consistent with the height principles set out in the Bankstown Masterplan.
- Make the site more accessible to the public and integrated into the street network by adding a new road and pedestrian connections.
- Create a substantial new public park to assist Council achieve its vision within the Bankstown Master Plan of all residents in Bankstown being within a 200m to 400m walking catchment of a green open space.
- Facilitate renewal of a site that is highly constrained by long term leases.
- Increase housing choice in Bankstown CBD by increasing the stock of "built to rent", student and key worker housing.
- Deliver a range of increased building heights that will be consistent with the B4 Mixed Use Zoning of the site, its size, strategic location, and controls proposed for comparable sites within the CBD.
- Provide housing for approximately 2,500 new residents within the Bankstown CBD proximate to employment opportunities and high-quality public transport infrastructure, established services and facilities.
- Provide housing and jobs growth in a highly accessible location well served by existing and future planned public transport infrastructure.

Whilst the assessment of this Planning Proposal has determined there is strategic merit to proceed for a Gateway Determination, it has also highlighted the following actions that need to be taken should Gateway approval be granted by DPE and before the Planning Proposal is finalised:

- Finalise the planning mechanism within the BLEP 2015 to limit total residential floor space to maintain jobs and employment growth on the site and in the CBD.
- Prepare a draft site-specific development control plan (DCP) to ensure a development outcome that is consistent with the future intended built form of the surrounding area.
- Revised traffic and economic reports to provide clarification, further modelling and justification on certain technical aspects as identified in the peer reviews and comments from TfNSW.
- Continue dialogue with Transport for NSW to undertake traffic modelling to test appropriateness of the proponent's adopted car parking and traffic generation rates to inform the site specific DCP.
- Draft a Planning Agreement that delivers the required infrastructure to support the redevelopment of the site in a staged manner.

The Bankstown City Centre Master Plan that was adopted by Council in October 2021 anticipates this Planning Proposal and sets out principles for the site so that it can work in concert to deliver the Master Plan objectives for the CBD.

In accordance with the Local Planning Panels Direction, issued by the Minister for Planning in 2018, the Canterbury Bankstown Local Planning Panel is requested to provide advice for Council's consideration on whether a Planning Proposal for the site at 1 and 1A North Terrace, Bankstown (known as the "Bankstown Central" site) should proceed to Gateway. The next step will be to report the matter to a Council meeting for a decision.

RECOMMENDATION That -

The application to amend the Bankstown Local Environmental Plan 2015 proceed to Gateway subject to the following (refer to **Figure 4** for a map of the precincts):

- a. Permit a maximum FSR between 3:1 to 7:1 in four separate precincts and an FSR of 3.9:1 for the site overall.
 - b. Permit a maximum building height of 86m for the Town Centre Precinct, 83m for the North Terrace Precinct, 50m, 67 and 70m for the Rickard Road Precinct and 35m, 46m and 55m for the Stacey Street Precinct.
 - c. Insert a subclause to exclude the subject site from obtaining up to 0.5:1 bonus FSR under Clause 4.4A 'Additional gross floor area for more sustainable development in Bankstown CBD commercial core'. This is to provide certainty regarding the maximum FSRs that will apply to the site.
 - d. Remove the site from the existing Special Provisions Map and amend Clause 6.9 to achieve the intended outcomes as follows:
 - i. Enable residential development within the Rickard Road Precinct without the need to provide commercial premises or other non-residential purposes on the ground and first floor levels; and
 - ii. Stipulate (a) a minimum 50% of non-residential floor space within the Town Centre Precinct and (b) a minimum 40% non-residential floor space across the entire site.
2. Before the plan is finalised:
- a. Council exhibits a draft Planning Agreement in accordance with the Letter of Offer received from the proponent to deliver public infrastructure to meet the needs for the future worker, resident and visitor population, as outlined in Section 4 of this report.
 - b. A site specific DCP is prepared and exhibited with the Planning Proposal to define the development controls for the development and ensure close integration with the master planning for the Bankstown CBD, and specify the staging of the future development, as outlined in this report.
 - c. Council and the proponent continue to work with Transport for NSW (TfNSW) to address traffic and transport related matters raised in TfNSW's preliminary comments received on the Planning Proposal and to resolve the permanent location of the Bankstown bus interchange whether it is located on or off the subject site.
3. The Planning Proposal and the relevant supporting reports are updated prior to the exhibition of the Planning Proposal.
4. After the Planning Proposal, DCP and Planning Agreement have been exhibited, a report be provided to Council outlining submissions received and the proponent's response to the issues raised in this report.
5. Council seek authority from the Department of Planning and Environment to exercise the delegation in relation to the plan making functions under Section 3.36(2) of the Environmental Planning and Assessment Act 1979.

ATTACHMENTS

Click here for: [Attachment A-F](#) [Attachment G-T](#)

- A. Draft Planning Proposal - Bankstown Central
- B. Applicant's Letter of Offer
- C. Applicant's Affordable Housing Statement of Intent
- D. Applicant's Planning Proposal
- E. Applicant's Response to Request for Information, Revised Planning Proposal Supporting Reports and Draft Site Specific Development Control Plan - July 2020
- F. Applicant's Revised Planning Proposal Maps and Metrics - February 2022
- G. Applicant's Concept Design and Urban Design Report
- H. Applicant's Preliminary Traffic Impact Assessment
- I. Applicant's Preliminary Aeronautical Height Assessment
- J. Applicant's Community Needs Analysis
- K. Applicant's Economic Analysis 'Becoming the Magnetic Centre of the Region'
- L. Applicant's Original Proposed LEP Mapping
- M. Applicant's Landscape Master Plan Concept Design
- N. Applicant's Revised Draft Site Specific Development Control Plan
- O. Council's Pre-lodgement Advice and Urban Design Principles - December 2019
- P. Council's Community Infrastructure Needs Peer Review
- Q. Council's Economic Supply and Demand Peer Review
- R. Council's Traffic and Transport Peer Review
- S. Transport for NSW (TfNSW) Preliminary Comments Letter
- T. Proponent's traffic consultant response to TfNSW Letter dated 24 December 2021

POLICY IMPACT

The Planning Proposal, once finalised and made, would amend the building heights, Floor Space Ratio and permissibility of residential development at ground and first floor level on certain parts of the subject land.

The Planning Proposal will facilitate a development outcome that would be consistent with Council's policies including the Local Strategic Planning Statement (LSPS) "Connective City 2036", the Employment Lands Strategy, Housing Strategy and Affordable Housing Strategy, the Bankstown Complete Streets CBD Transport and Place Plan and the Bankstown Master Plan. The Planning Proposal is also consistent with the Greater Sydney Commission's objectives in the Greater Sydney Region Plan – South District Plan, and the Collaboration Area Bankstown CBD and Bankstown Airport Place Strategy.

The LSPS "Connective City 2036" classifies Bankstown as the major centre for the LGA and the economic heart of the city, with 25,000 jobs and 25,000 students by 2036. The LSPS envisages an expected doubling of jobs, an increase in students and visitors and an increase in high density housing in the Bankstown CBD. The assessment of the application submitted to Council indicates the proposal would support this direction.

FINANCIAL IMPACT

Independent peer reviews undertaken on behalf of Council have identified opportunities for new social and community facilities, public infrastructure and traffic works required to ensure that the redevelopment of the site functions well, delivers a high quality urban precinct with a mix of appropriate commercial and residential uses and is of a scale that is appropriate for the aspiration of Bankstown CBD to evolve into the future as a key place for jobs growth, education, commercial investment, and higher density residential accommodation.

The Planning Proposal will deliver a range of infrastructure items that would benefit the public at no cost to Council including a new 5,000m² public park, a multi-purpose indoor sports facility, incubator/co-working office space and new cycleways along Rickard Road and The Appian Way.

COMMUNITY IMPACT

Should a Gateway Determination be issued by the Department of Planning and Environment, community and stakeholder consultation will occur as directed by the Gateway conditions and the outcomes reported back to Council after the conclusion of the exhibition period.

Council officers have negotiated with the proponent a Letter of Offer that outlines public infrastructure and public benefits for Council's consideration. This report recommends further negotiations with the proponent to ensure that the public benefits within the Letter of Offer and future draft Planning Agreement are appropriately staged for delivery.

The subject site is the largest privately owned landholding in the Bankstown CBD and the scale of the development has the potential to transform the site into a highly activated and permeable precinct that delivers on Council's vision for local jobs in close proximity to housing, existing and future public transport and a new public park that integrates with the CBD.

The proposal will include new commercial, office, student accommodation and housing that will help to make the Bankstown CBD a more vibrant place and destination. There will be an overall positive impact by creating new jobs growth and provision of housing, hotel and student accommodation located close to existing transport infrastructure.

The key public benefits that would form part of a Planning Agreement with Council and will include works such as a new public park, an extension of Jacobs Street, a multi-purpose indoor facility, incubator space and completion of cycleways along Rickard Road and The Appian Way. Further negotiations with the proponent will be required to finalise the planning agreement in regard to the delivery and staging.

DETAILED INFORMATION

1. SITE DESCRIPTION

The subject site (site) at 1 and 1A North Terrace, Bankstown comprises the following 12 lots as shown in Table 1 and Figure 1.

Table 1: Subject site details

Property Address	Property Description	Current Zone	Site Area
1 and 1A North Terrace, Bankstown	Lot 1 DP 795649 Lot 89A DP 405477 Lot 45 DP 618721 Lot 1 DP 237386 Lot 1 DP 1289891 Lot 23 DP 1117290 Lot 11 DP 746201 Lot 26 DP 1142237 Lot 1 DP 128989 Lot 31 DP 1142236 Lot 22 DP 1117290 Lot 18 DP 1117290	B4 Mixed Use Zone under BLEP 2015	114,073m ²

The site contains a regional shopping centre development known as “Bankstown Central” (previously known as “Bankstown Centro”) which was originally established in 1966. The site is bound by North Terrace to the south, Jacobs Street, The Mall and The Appian Way to the west, Rickard Road to the north and Stacey Street to the east. The site has dimensions of approximately 500m east to west and 270m north to south. The total site area is 114,073m². The Bankstown Central shopping centre is a 2-3 level retail development with associated car parking, loading facilities, landscaped areas. Bankstown Central accommodates anchor tenants including Myer, Target, Big W, Kmart, Woolworths, Dan Murphy’s and a new Coles Supermarket to open in 2022 in addition to approximately 260 specialty stores including a food court. The Bankstown Central site is the largest privately owned landholding within the Bankstown CBD.

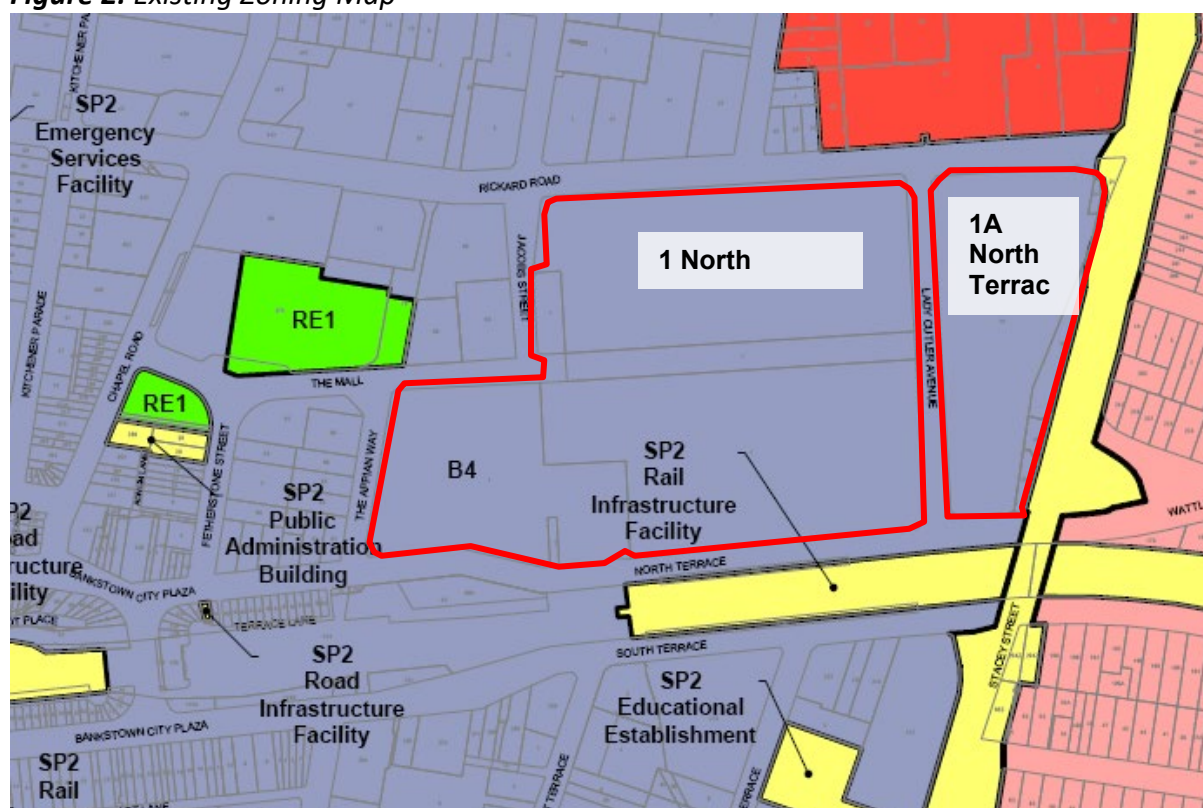
Adjacent to the site to the south is the T3 Bankstown Railway line, to the west is the established commercial shops and offices of the Bankstown CBD, to the north is a mix of medical centres and allied health services and residential apartments and to the east is the arterial road Stacey Street with a low density residential housing area further to the east. The NSW Government is converting the T3 Bankstown Railway Line between Sydenham and Bankstown to a Metro rail line which will commence operation in 2024. The Metro line conversion will result in a new Bankstown Metro Rail Station constructed to the east of the existing Bankstown Railway Station and importantly will establish a north-south pedestrian link across the existing rail line delivering improved connectivity in the CBD

The site is located in the heart of the Bankstown CBD and approximately 16km south west of the Sydney CBD, approximately 10km east of the Liverpool City Centre and the Parramatta CBD is located approximately 10km north.

Figure 1: Site Map (site outlined in red)



Figure 2: Existing Zoning Map



2. PROPOSAL

Background and Overview of Proposal

In December 2019, Council received an application to amend the BLP 2015. The Planning Proposal is the culmination of several years of discussions between Council and the proponent and represents a concept master plan that has been the subject of iteration and adjustment in response to Council feedback. The Planning Proposal reflects the design principles developed by specialist urban design consultants commissioned by Council in 2018 to prepare an urban design study to guide redevelopment of the site. Council provided the proponent with the urban design principles in 2019 prior to lodgement of the application with Council.

Following a preliminary assessment by Council and liaison with the proponent, Council wrote to the proponent in March 2020 to request additional information and clarification of the proposal. In July 2020 the proponent submitted an amended Planning Proposal package in response to Council's additional information request. Council wrote to the proponent in December 2020 and further information, including revisions to the Planning Proposal were submitted to Council in July 2021. Further revisions to the Planning Proposal were made and submitted to Council in February 2022, reflecting the outcome of Council's assessment of the application and the preceding discussions between Council and the proponent and the proponent's consultants.

Table 2 summarises the current and proposed controls (as amended in February 2022 by the proponent). Figure 3 shows the proponent's indicative concept site plan.

Figure 3: Applicant's indicative master plan



The Planning Proposal would enable the proponent to achieve its long term year vision for the site that would be delivered in stages to enable the following:

- Accommodate a concept plan comprising mix of uses across the site with height and density focussed along North Terrace and near the existing Bankstown railway station and future Metro station.
- Facilitate reconfiguration of the existing shopping centre layout to accommodate the proposed additions and staged construction around the existing central retail core. .
- Provision of new public open spaces such as a new 5,000m² public park and a pedestrian boulevard running east west along northern end of site between Jacob Street and Lady Cutler Drive and public plazas throughout the site.
- Facilitate extension of Jacobs Street between The Mall and Northern Terrace for road traffic and pedestrians.
- Removal of the of the bus interchange from the site and creation of a new permanent layover, with bus stops as required, outside of the site along the proposed Jacobs Street extension. This will be subject to ongoing discussions with TfNSW and an agreement between the proponent, Council and TfNSW on the new location.

Table 2: Summary of proposed controls and intended outcomes of the Planning Proposal

Control	Amendment sought by applicant
Zone	B4 Mixed Use Zone
FSR	3.9:1 (across the entire site) <i>Refer to Table 3 below for FSR details per Precinct</i>
Height of Building	Maximum building height of 86m (controlled by PANS-OPS ceiling of RL 108.2) <i>Refer to Table 3 below for building height details per Precinct</i>
Additional gross floor area for more sustainable development in Bankstown CBD commercial core (Clause 4.4A) <i>This clause provides a bonus of 0.5:1 for development that meets the sustainability criteria.</i>	Insert a subclause to exclude the subject site from the application of this clause. This is because the Planning Proposal does not seek to apply the existing 0.5:1 bonus on the basis the proposed FSRs include uplift that already factors in the maximum FSR sought to ensure certainty that future development will be able to achieve the FSRs proposed. Sustainability requirements will be included in the site specific DCP and BASIX will continue to apply to the residential component of the mixed use development or residential apartment buildings on the site.
Restrictions on development in Zone B4 Mixed Use (Clause 6.9) <i>This clause requires the ground and first floors of new buildings, or changes of use of existing buildings, to be used for</i>	Remove the site from the existing Special Provisions Map and amend Clause 6.9 to achieve the following intended outcomes: <ul style="list-style-type: none"> • Enable residential development within the Rickard Road Precinct without the need to provide commercial premises or other non-residential purposes on the ground and first floor levels; and

commercial or other non-residential uses.

- Stipulate (a) a minimum 50% of non-residential floor space within the Town Centre Precinct and (b) a minimum 40% non-residential floor space across the entire site.

Council has progressed the draft consolidated Canterbury Bankstown LEP which has been publicly exhibited and is with the Department for finalisation. While this report refers to amending the Bankstown LEP 2015, to avoid any doubt, this application seeks to amend the equivalent clauses and maps within the Canterbury Bankstown LEP once it becomes effective.

Figure 4: Proposed precinct map including proposed maximum FSRs and height of buildings

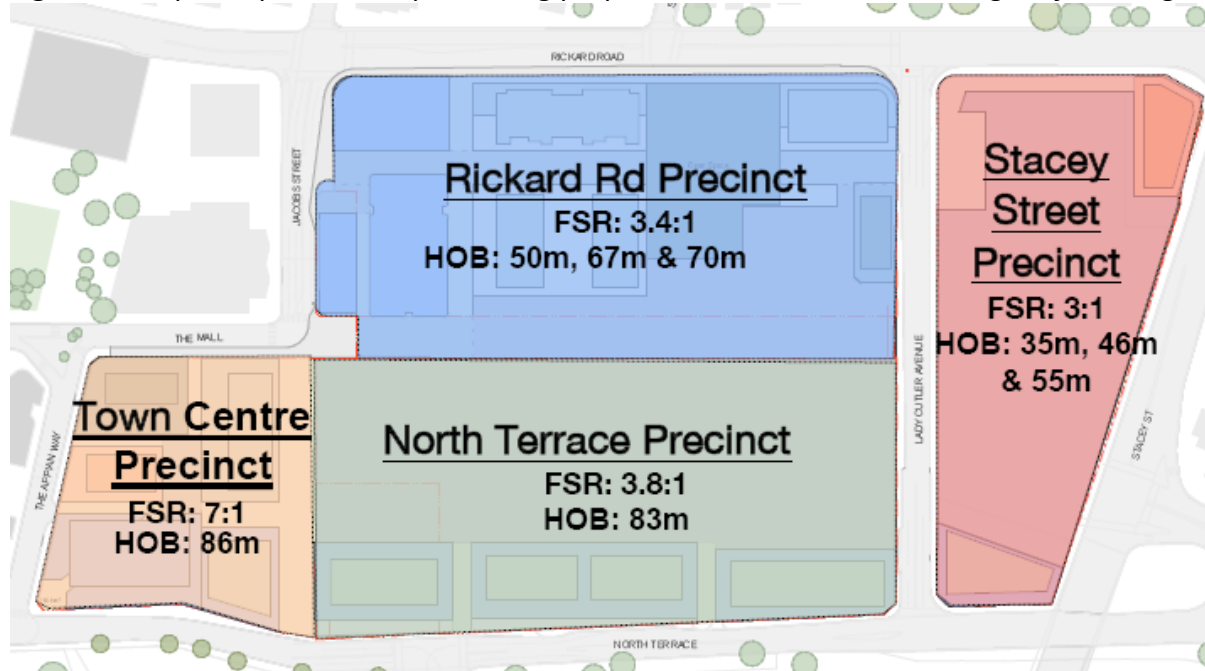


Figure 5: Existing Floor Space Ratio Map

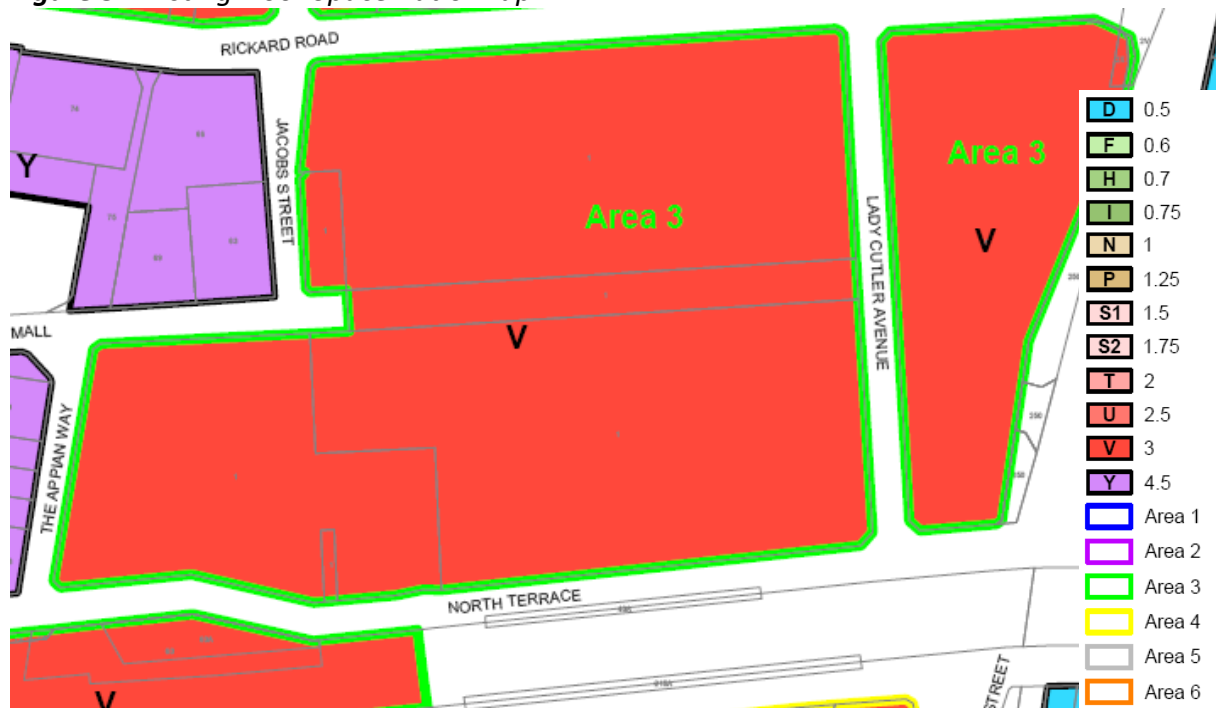


Figure 6: Applicant's Proposed Floor Space Ratio Map

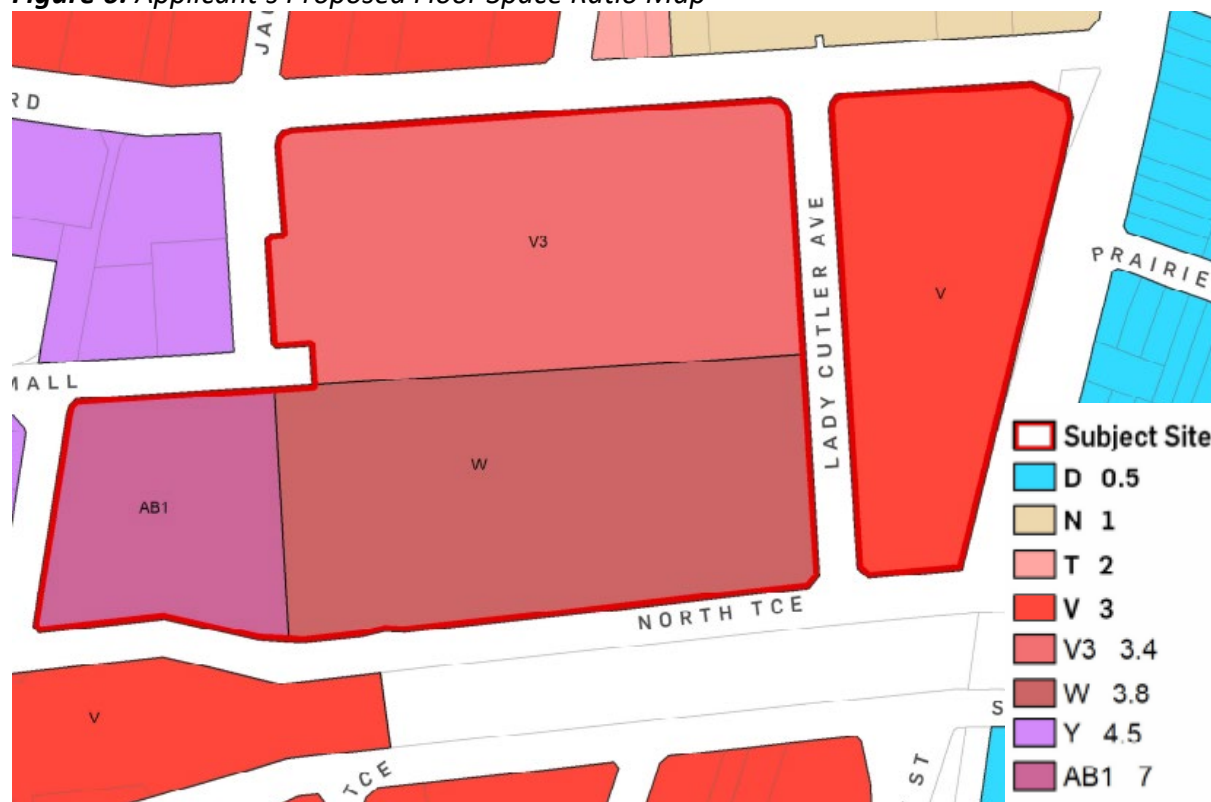


Figure 7: Existing Building Height Map

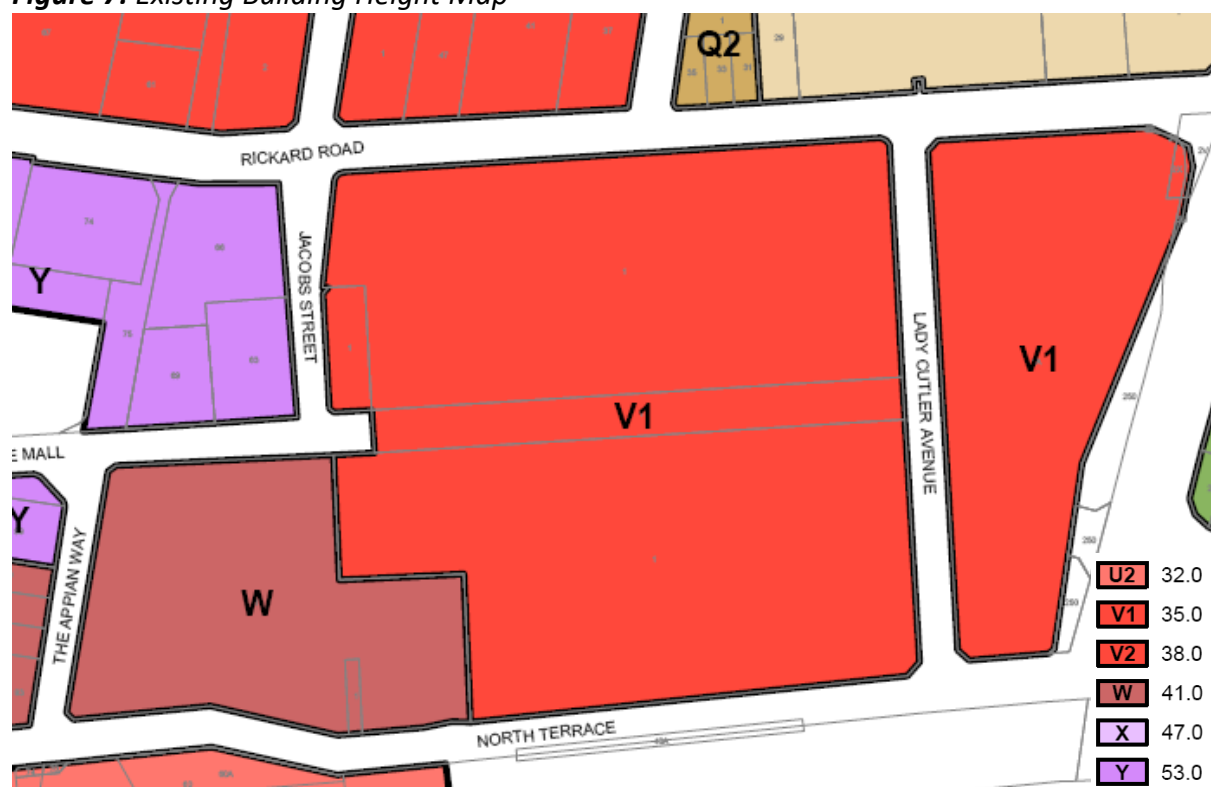


Figure 8: Applicant's Proposed Building Height Map

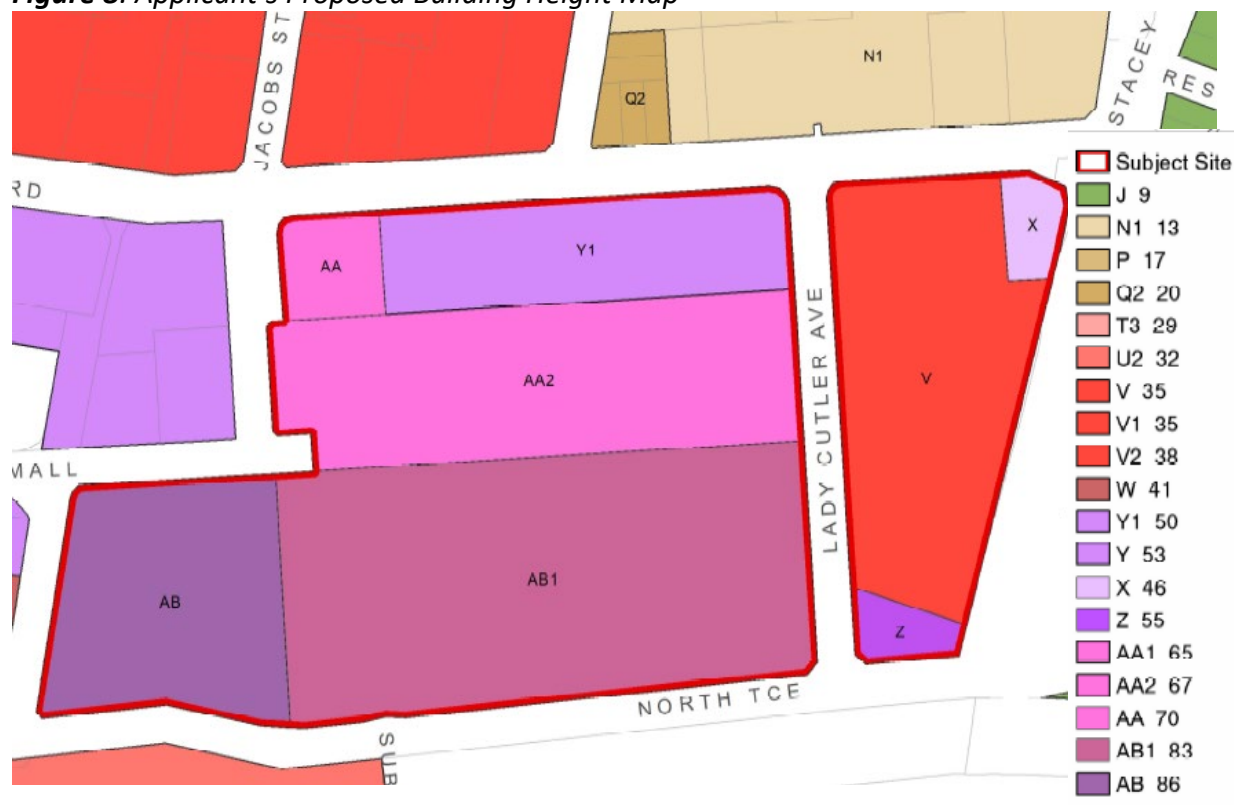
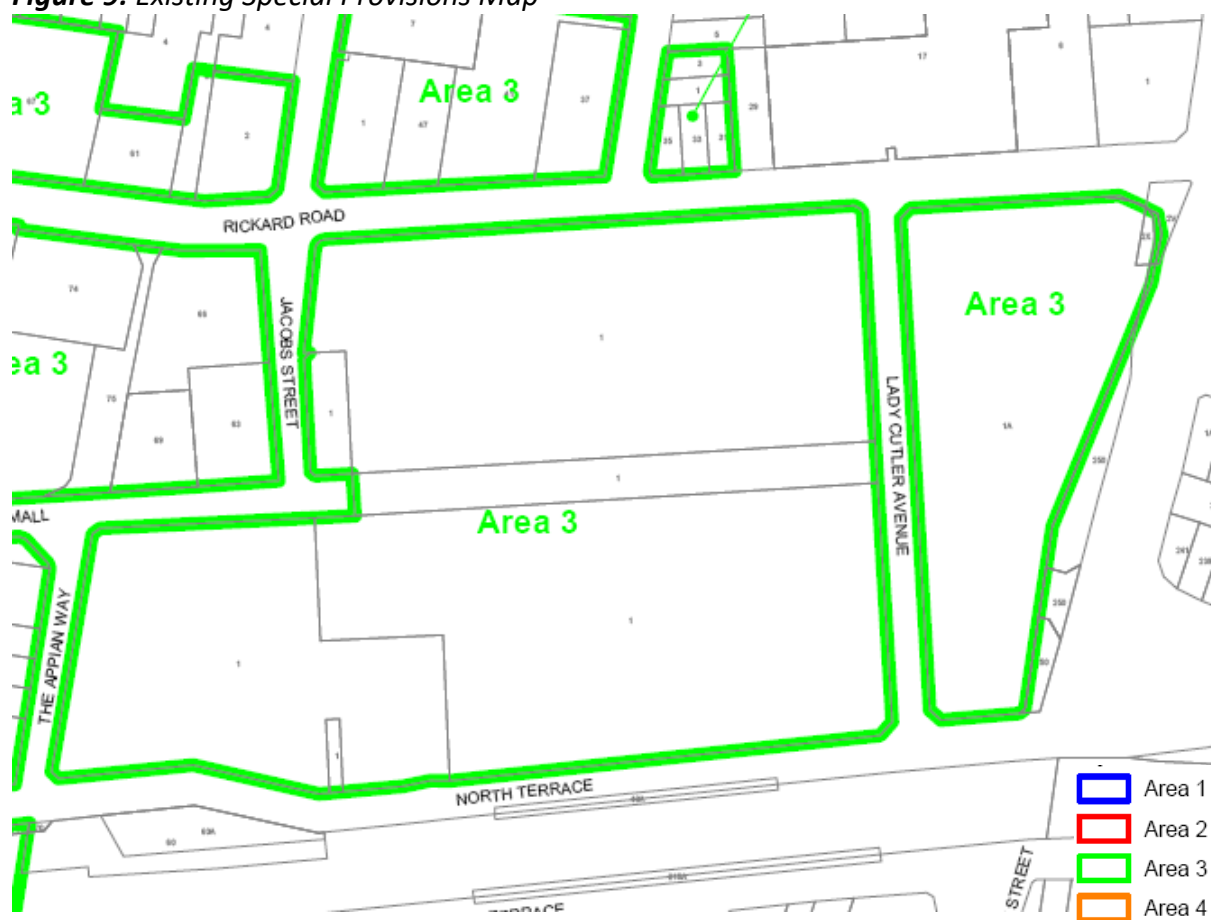


Figure 9: Existing Special Provisions Map



The Planning Proposal is supported by the following technical studies and supporting documentation submitted by the proponent:

- Planning proposal report prepared by Urbis.
- Applicant's Response to Request for Information, Draft Site Specific Development Control Plan and Revised Planning Proposal Supporting Reports (July 2020) including:
 - Revised Planning Proposal Diagrams prepared by FJMT.
 - Bankstown Market Assessment prepared by Urbis.
 - Updated Transport Impact Assessment prepared by GTA Consultants.
 - LEP Mapping prepared by Urbis.
 - Retail Development Potential Assessment prepared by Urbis.
- Revised Planning Proposal Maps and Metrics prepared by Urbis and FJMT (February 2022).
- Concept Design and Urban Design Report prepared by FJMT.
- Preliminary Traffic Impact Assessment prepared by Colston, Budd, Rogers and Kafes.
- Revised Transport Impact Assessment prepared by GTA Consultants.
- Preliminary Aeronautical Height Assessment prepared by Landrum & Brown Worldwide.
- Community Needs Analysis prepared by Urbis.
- Economic Analysis 'Becoming the Magnetic Centre of the Region' prepared by Urbis.
- Draft BLEP 2015 Mapping prepared by Urbis.
- Landscape Concept Master Plan prepared by FJMT and Urbis.
- Revised Draft Site Specific Development Control Plan prepared by Urbis.
- Record of Feedback from Council on concept Master Plan submitted by proponent.
- Letter of Offer and Affordable Housing Statement of Intent prepared by Vicinity Centres.

A site specific draft Development Control Plan has been submitted by the proponent that provides objectives and development controls to guide the future development of the site. The Development Control Plan submitted with the Planning Proposal will be amended by Council for exhibition concurrently with the Planning Proposal and draft Planning Agreement.

Council commissioned external consultants to prepare traffic, social and economic peer reviews of the application. These documents have also been provided to the Local Planning Panel for background and supporting information.

Development Outcome and Yields

The Planning Proposal includes the following key elements (refer to Table 3 below for details):

- The redevelopment of the site from a shopping centre to a genuine mixed-use precinct, including retail, commercial offices, hotel and serviced apartments, residential (including build to rent), student and key worker accommodation (for health workers and the like) that will complement the location of the Western Sydney University Campus (Bankstown) and potential future new Bankstown Hospital.
- The significant improvement in the public domain in the heart of the CBD, including the provision of new public open space in the form of a public park and new pedestrian focussed boulevards and plazas.

- Creation of four precincts for the site (Town Centre, Rickard Road (north and south), North Terrace and Stacey Street, refer to Figure 4) to assist with master planning the large site consistent with the intended staging and retention of large sections of the current shopping centre.
- Provide a variety of height controls across the site up to 86m and to consolidate density towards the future metro station and North Terrace and height transition to surrounding properties in line with the Bankstown Master Plan.
- Allow residential apartment buildings along the northern side of the site to Rickard Road without the need to provide commercial uses at ground and first floor level.

To achieve the above, the proposal seeks to facilitate the following development yields:

- Retail: 15,041m² (in addition to existing 91,000m² retail floor space)
- Commercial offices: 119,117m²
- Hotel: 439 rooms plus 89 serviced apartments
- Residential: 1,255 apartments
- Student Accommodation: 694 units
- Childcare: 891m²
- New public open space: 5,000m² public park plus 5,615m² pedestrian focussed plazas and boulevards.

The table below provides details of the potential Gross Floor Area that would result from the proposed maximum Floor Space Ratios and building heights for each Precinct.

Table 3: Summary of proposed FSRs, building height and resultant yield by precinct

Precinct	Proposed Max FSR*	Maximum Proposed Building Height (storeys approximates only)	Proposed Gross Floor Area Yield
Town Centre	7:1	86m (RL 108.2 PANS-OPS), approx. 25 storeys	106,437m ²
Rickard Road	3.4:1	Precinct North - 50m and 70m, Approx. 15 to 20 storeys Precinct South - 67m, approx. 19 storeys	127,882m ²
North Terrace	3.8:1	83m, approx. 20 - 25 storeys (subject to mix of uses)	139,824m ²
Stacey Street	3:1	North Tower – 46m, approx. 11-13 storeys South Tower – 55m, approx. 16 storeys Remaining central shopping centre core retained at 35m	73,380m ²
Total	3.9:1	-	447,523m²

**Note: The bonus 0.5:1 FSR currently permitted on the site under Clause 4.4A "Additional gross floor area for more sustainable development in Bankstown CBD commercial core" in BLEP 2015 currently applies to the site. The above density calculations quoted do not include the 0.5:1 bonus FSR as this is not proposed to apply to the site under the proponent's Planning Proposal.*

The Planning Proposal will increase from the existing 3.5:1 (inclusive of the 0.5:1 sustainability bonus under Clause 4.4A) to a maximum FSR of 3.9:1 for the site overall. It is not proposed apply the LEP sustainability bonus to the site. The total GFA of the site when developed to the maximum proposed FSR is 447,523m², which is 48,268m² more than the maximum possible floor space under the existing 3.5:1 FSR across the site.

It is estimated that the concept proposal would yield approximately 1,255 apartments plus 694 student housing units. The hotel accommodation component will result in 439 rooms plus 89 serviced apartments.

Each precinct will contain a different proportion of residential and non-residential land use. Due to the indicative nature of the development concept, the proponent has not submitted a detailed breakdown of the exact GFA of each land use proposed for each tower in each Precinct. The Planning Proposal will set the overarching parameters for the overall maximum floor space and minimum commercial/non-residential requirements for the site with the future development applications for the site to provide details on how each precinct will provide the mixed development outcomes consistent with the intent as set out by the planning proposal.

Letter of Offer for Delivery of Public Infrastructure

In accordance with the proponent's Letter of Offer and subject to the preparation of a draft Planning Agreement between Council and the proponent, the Planning Proposal would facilitate delivery of the following public infrastructure works located on or near the site to support the intensification proposed for the site:

- 5,000m² publically accessible open space (Public Park) along Rickard Road including a playground and urban plaza.
- Extension of Jacobs Street between The Mall and North Terrace into a shared bus and pedestrian way.
- 1,000m² multi-purpose indoor facility including two sports courts or cash contribution up to a value of \$4 million dollars to Council to deliver this facility elsewhere in the CBD.
- 200m² of 'Incubator Space' for business 'start-ups' to be fitted out as a warm shell open plan layout suitable for use as office space.
- Completion of proposed town centre separated cycleway along Rickard Road and Appian Way frontages to the site in accordance with Bankstown 'Complete Streets' requirements.

Development Application for Commercial Development

A recent development consent has been issued on this site which is a relevant consideration. On 19 July 2021 development consent was granted to DA-528/2020 for a commercial development in the north western corner of the site at the Rickard Road and Jacob Street intersection as shown in Figures 11-13 below:

- Demolition of the existing bus interchange and associated buildings near the north-west corner of the site.

- The construction of a new commercial development comprising two eight-storey commercial office towers with rooftop plant and one part five/part six-storey commercial office tower, with ground levels containing retail, wellness and food & beverage uses in an 'Eat Street' configuration.
- Construction of two levels of basement car parking, providing 322 car parking spaces.
- Changes to the existing shopping centre and existing at-grade car parking.
- The provision of access, basement car parking, and associated public realm works and landscaping.

Overall, the buildings incorporate 29,686m² of office floor space and approximately 6,000m² of retail floor space. The approved development was designed to the maximum 35m building height currently applicable under the BLEP 2015.

The approved development is consistent with the Planning Proposal insofar as the footprint of the approved development sits wholly within the Rickard Road North Precinct and will maintain a clear 20m wide pedestrian access boulevard that acts as an extension to The Mall. The northern most tower (Tower 2) is located in the proposed 70m building height under the Planning Proposal. Subject to LEP Amendment being made, the proponent will be required to obtain a new development consent for any increase in the height of Tower 2 to achieve the proposed 70m building height.

Figure 10: Approved development site plan (DA-528/2020). Red arrow shows The Mall pedestrian access (20m wide)

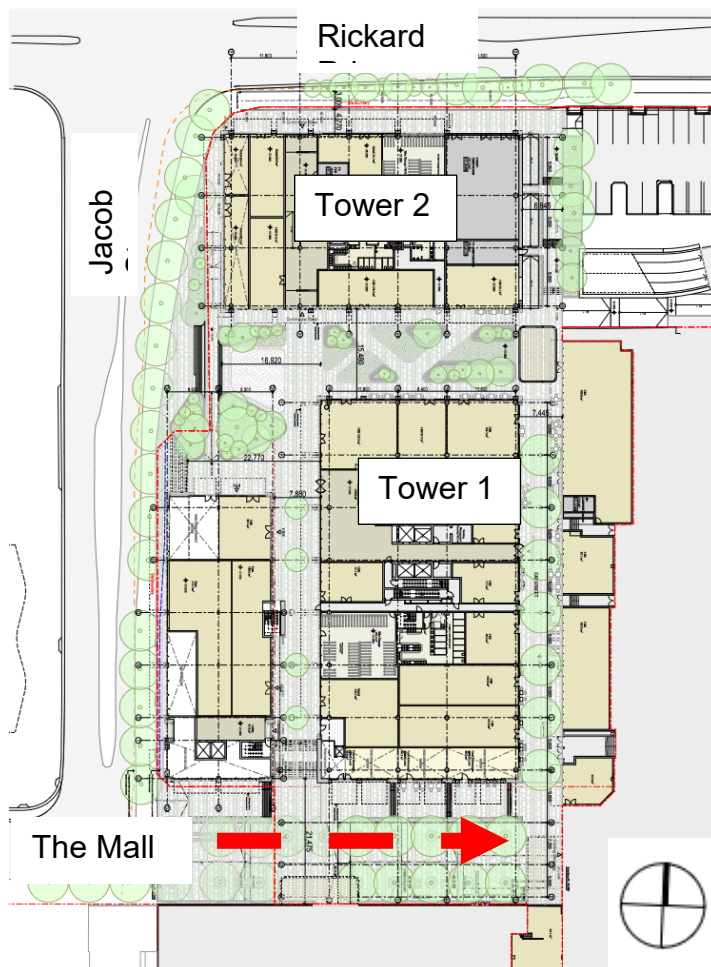


Figure 11: Approved commercial development (DA-528/2020) as viewed from Jacob Street. The extension of The Mall is shown on the right.



Figure 12: Approved commercial development (DA-528/2020) as viewed from the extension of The Mall pedestrian access, looking north.



3. SUMMARY

Based on the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) and the Department of Planning and Environment guideline, the following key policies are relevant to Council's assessment of the application:

- Greater Sydney Region Plan.
- South District Plan.
- State Environmental Planning Policies.
- Ministerial Directions.
- Council's Local Strategic Planning Statement (LSPS) "Connective City 2036".
- Exhibited and Adopted Bankstown City Centre Master Plan.
- Department of Planning and Environment's *Local Environmental Plan Making Guideline* (December 2021).

In relation to the proposed amendments to the BLEP 2015, Council's assessment findings indicate (summarised in Section 5 below and detailed in the Planning Proposal at Attachment A) the proposal demonstrates strategic merit as it would:

- Provide development capacity that is consistent with the strategic policy direction and vision for Bankstown CBD as the City's preeminent Strategic Centre as set out in Council's Local Strategic Planning Statement and the Bankstown Masterplan.
- Result in approximately 8,437 additional jobs which is 60% of Council's target of 14,000 new jobs in the Bankstown CBD by 2036 as outlined in the adopted Bankstown City Centre Master Plan.
- Allow the significant existing development capacity of the site to be refocussed towards the future Metro Station consistent with the height principles set out in the Bankstown Masterplan.
- Make the site more accessible to the public and integrated into the street network by adding a new road and pedestrian connections.
- Create a substantial new public park to assist Council achieve its vision within the Bankstown Master Plan of all residents in Bankstown being within a 200m to 400m walking catchment of a green open space.
- Facilitate renewal of a site that is highly constrained by long term leases.
- Increase housing choice in Bankstown CBD by increasing the stock of "built to rent", student and key worker housing.
- Deliver a range of increased building heights that will be consistent with the B4 Mixed Use Zoning of the site, its size, strategic location, and controls proposed for comparable sites within the CBD.
- Provide housing for approximately 2,500 new residents within the Bankstown CBD proximate to employment opportunities and high quality public transport infrastructure.
- Provide housing and jobs growth in a highly accessible location well served by existing and future planned public transport infrastructure.

The strategic and site specific merit of the proposal is able to be met subject to implementing the recommendations of this report and as follows in Section 4.

4. ASSESSMENT

4.1 Consistency with Strategic Planning Framework

4.1.1 Greater Sydney Region Plan – A Metropolis of Three Cities

The Greater Sydney Region Plan (GRSP) was released by the GSC in March 2018. It provides a 40-year vision for the Greater Sydney region and is designed to inform district and local plans and the assessment of Planning Proposals.

The Greater Sydney Region Plan identifies several key objectives around the need to ensure communities are healthy, resilient and socially connected; and improving housing supply to all groups in the community. The proposal will facilitate economic investment in the Canterbury Bankstown LGA during the construction and operational phases, provide significant new employment generating floor space and housing and will assist with Bankstown further evolving into its strategic centre role.

The Planning Proposal is consistent with several planning objectives in the GSRP. These include:

- Objective 4: Infrastructure use is optimised.
- Objective 6: Services and infrastructure meet communities' changing needs.
- Objective 7: Communities are healthy, resilient and socially connected.
- Objective 10: Greater housing supply.
- Objective 14: A Metropolis of Three Cities - integrated land use and transport creates walkable and 30 minute cities.
- Objective 22: Investment and business activity in centres.

4.1.2 South District Plan

The GSC released the South District Plan on 18 March 2018 to give effect to the GSRP. The South District Plan contains priorities and actions to guide the development and planning of the south district while improving the district's social, economic and environmental assets. The redevelopment of the site that would result from this proposal will deliver a genuine mixed use precinct and increased opportunities for social interaction on the site through a new public park, pedestrian boulevards and plazas and improved interface with the new Metro station and relationship with surrounding land uses and street network. The proposal aligns with the following South District Planning Priorities:

- Planning Priority S3 – Providing services and social infrastructure to meet people's changing needs.
- Planning Priority S4 – Fostering healthy, creative, culturally rich and socially connected communities.
- Planning Priority S9 – Growing investment, business opportunities and jobs in strategic centres.
- Planning Priority S12 – Delivering integrated land use and transport planning and a 30-minute city.

The application will enable the delivery of transit-oriented development and co-locate facilities and services which is consistent with the principles for strategic centres in the South District Plan. The proposal will contribute to the 30 minute city vision of the Plan by providing employment opportunities and new housing within the same location and adjacent to a future Metro station with high frequency services to other strategic centres and the broader Sydney Region.

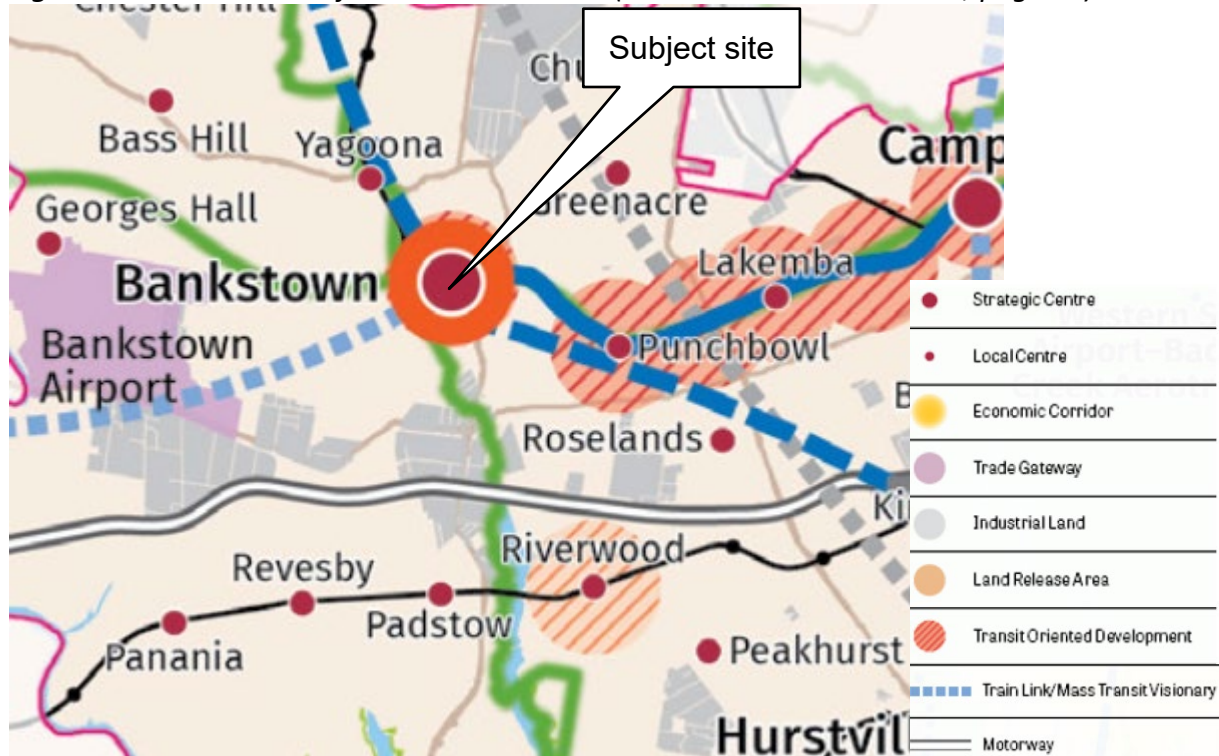
The proponent has committed to the delivery of public infrastructure and benefits including a new public park, an indoor multi-purpose facility, incubator space/co-working offices, cycleways and extension of Jacob Street to improve connectivity within the Bankstown CBD. These facilities will enhance walkability and cycling within the Bankstown strategic centre.

The proposal will deliver approximately 8,000 jobs to 2036 which is significant contribution towards the South District Plan 2036 baseline target of 17,000 jobs for Bankstown. The proposal will also achieve consistency with the following Bankstown specific actions within the South District Plan:

- Encourage new lifestyle and entertainment uses to activate streets and grow the night-time economy.

- Facilitate the attraction of office and commercial floor space and provide opportunities to allow commercial and retail activities to innovate.
- Encourage activation of secondary streets.
- Improve integration with existing and future rail and bus transport infrastructure in the Bankstown city centre.

Figure 13: Structure Plan for the South District (Source: South District Plan, page 11)

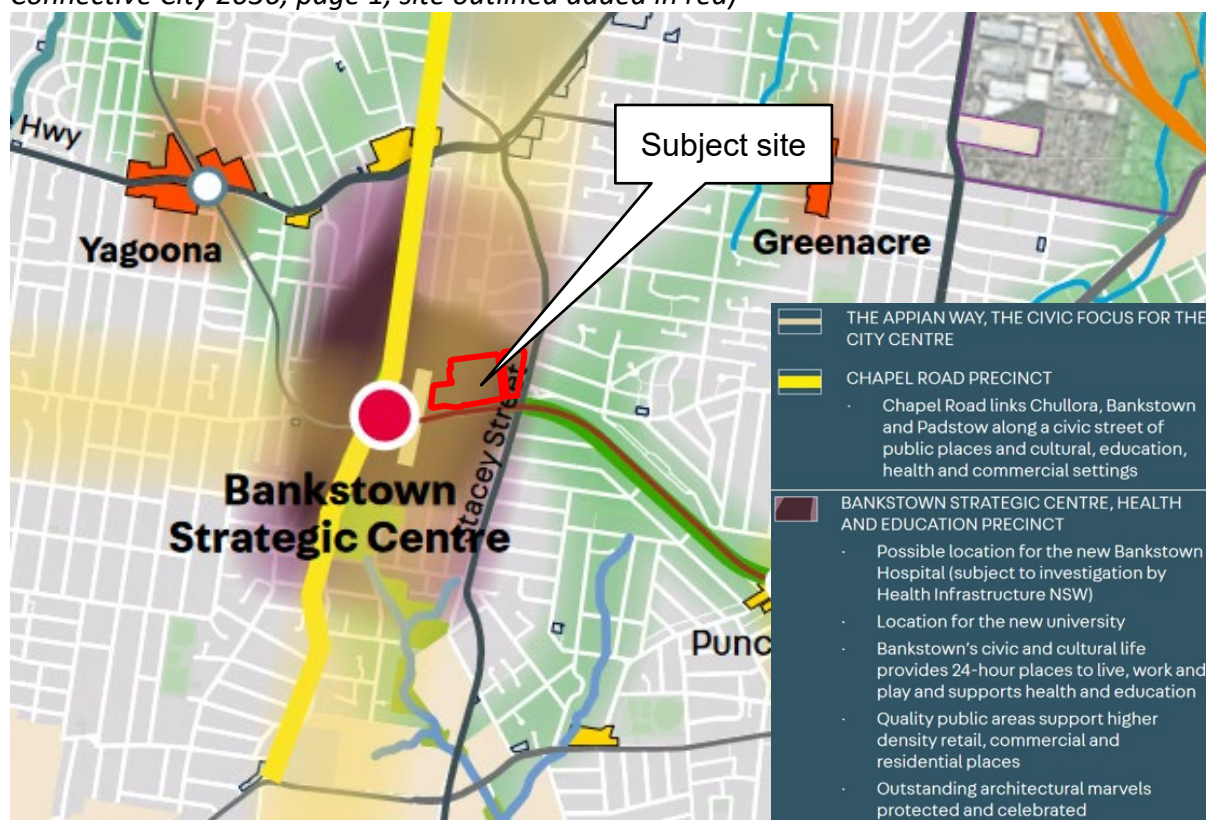


4.1.3 Local Strategic Planning Statement – ‘Connective City 2036’

The LSPS Connective City 2036 establishes a hierarchy of centres within the LGA and identifies Bankstown and Campsie as Strategic Centres, consistent with the GSRP and SDP and provides 10 “Evolutions” that will shape and deliver the objectives of the LSPS. The LSPS grants Bankstown “City Centre” status which is the highest categorisation in the city and notes that Bankstown along with Campsie, as the other Strategic Centre in the LGA, will be the key focus for jobs, cultural activities and housing.

The LSPS sets a housing target of 50,000 additional dwellings accommodating 80% of increased housing supply in established centres and sustainable growth in local village and small village centres. The LSPS nominates the Bankstown City Centre as the “economic heart of the City”, with targets for 25,000 jobs and 25,000 students by 2036. The LSPS also seeks to encourage visitor accommodation, affordable housing and provide for art and cultural services. The Planning Proposal is well positioned to deliver jobs (through retail and commercial office floor space), housing, visitor/hotel accommodation and social and community facilities in accordance with the objectives of the LSPS.

Figure 14: The LSPS 'Connective City 2036' plan showing the location of the site (Source: Connective City 2036, page 1, site outlined added in red)



The Planning Proposal is consistent with the primary objectives of the LSPS as it relates to the site, including providing high density housing near public transport, evolution of larger centres into vibrant urban places, provision of commercial and street-fronting retail space, local jobs and civic places. The Proposal will facilitate the delivery of residential accommodation and employment floor space on a site that is suitable for the scale and intensity proposed given the size of the site, its location within the CBD and near public transport infrastructure, the minimal overall amenity impacts to the adjacent areas and connectivity to nearby centres.

4.1.4 Bankstown City Centre Master Plan

As recommended in the Bankstown City Master Plan (Master Plan), Council resolved for the Bankstown Central application to proceed independently of the Master Plan, as it requires more detailed analysis and assessment given the size and complex nature of the site. The Master Plan provides direction on desired future through-site links, the location of open space and the seeking a minimum 50% of total floor space on the Town Centre Precinct of the Bankstown Central site to be employment-generating uses. The Master Plan identifies the opportunity for multi-purpose indoor sports facilities to be delivered as part of any redevelopment of key sites such as Bankstown Central (Action 1.1.5).

The adopted Master Plan also includes indicative height principles for the site based on the intensification strategy, noting that height of building controls and other matters will be tested and resolved separately through the Planning Proposal process. It is noted that the incentive clause mechanisms within the Master Plan do not apply to the Bankstown Central site in recognition of the large size of the site and its ability to be staged over time and deliver a significant proportion of future housing and jobs growth.

Council is progressing with the preparation of the Planning Proposal to implement the Bankstown Master Plan and will submit to the Department of Planning and Environment later in 2022. Council staff have been supportive of considering a separate Planning Proposal for this site given its size, complexity, public benefit offer, and the need for further detailed analysis and design considerations to be addressed during the preparation of a site specific DCP. Notwithstanding, the Bankstown Masterplan has provided principles for this site which have been reflected in the Planning Proposal.

Figure 15: Bankstown City Centre Master Plan 'Framework Map'

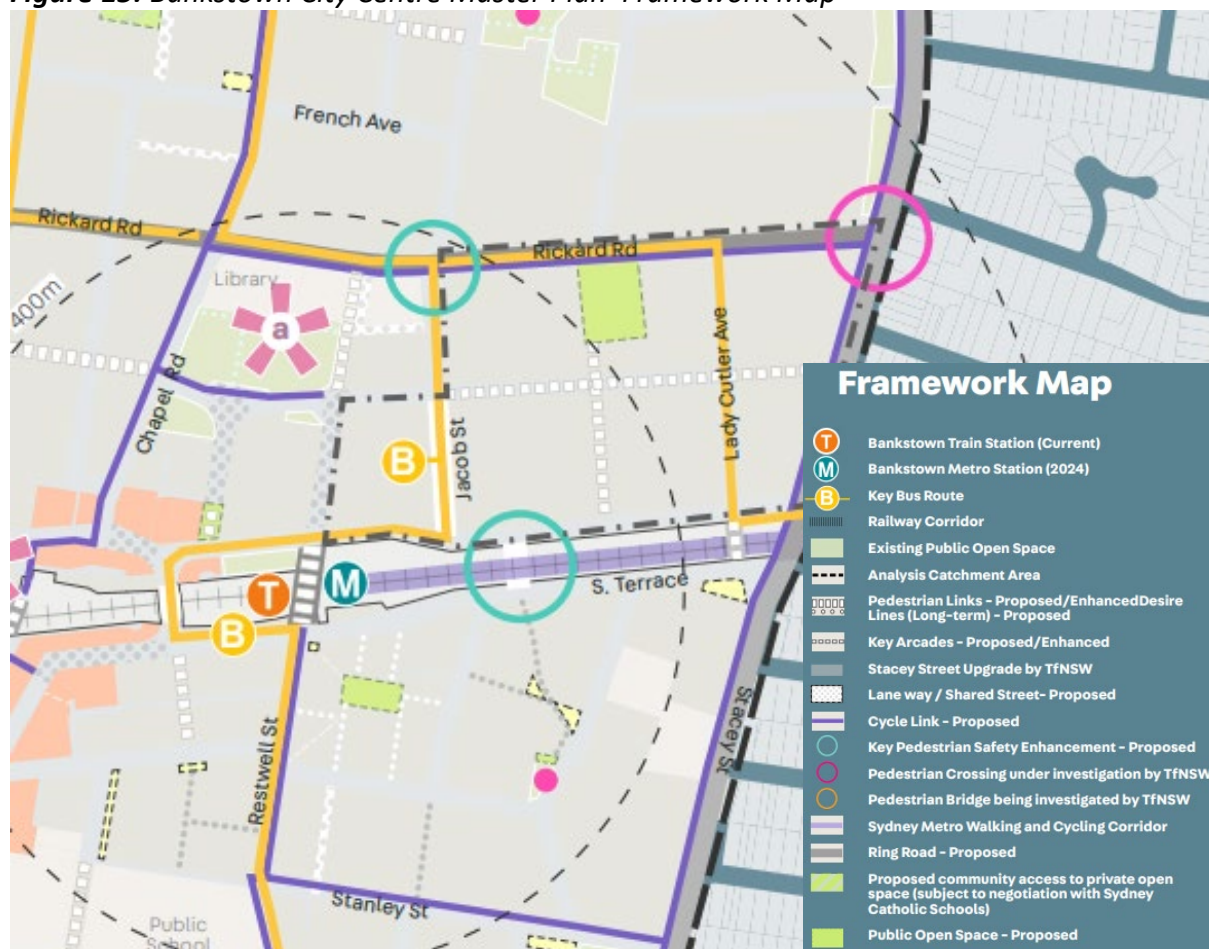


Figure 16: Bankstown City Centre Master Plan 'Bankstown Land and Zoning Map'

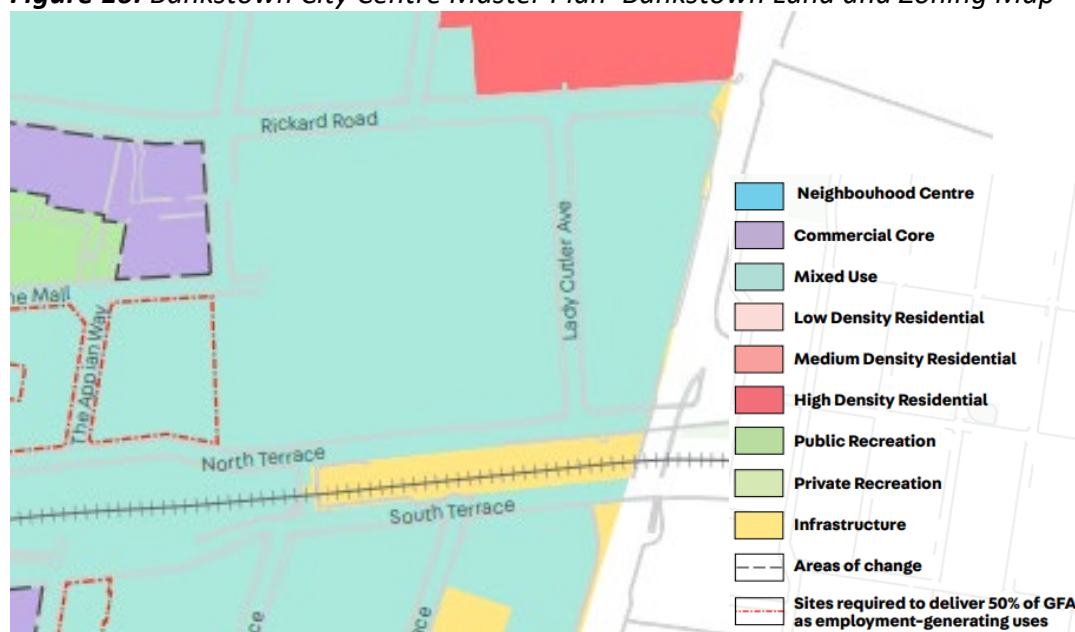
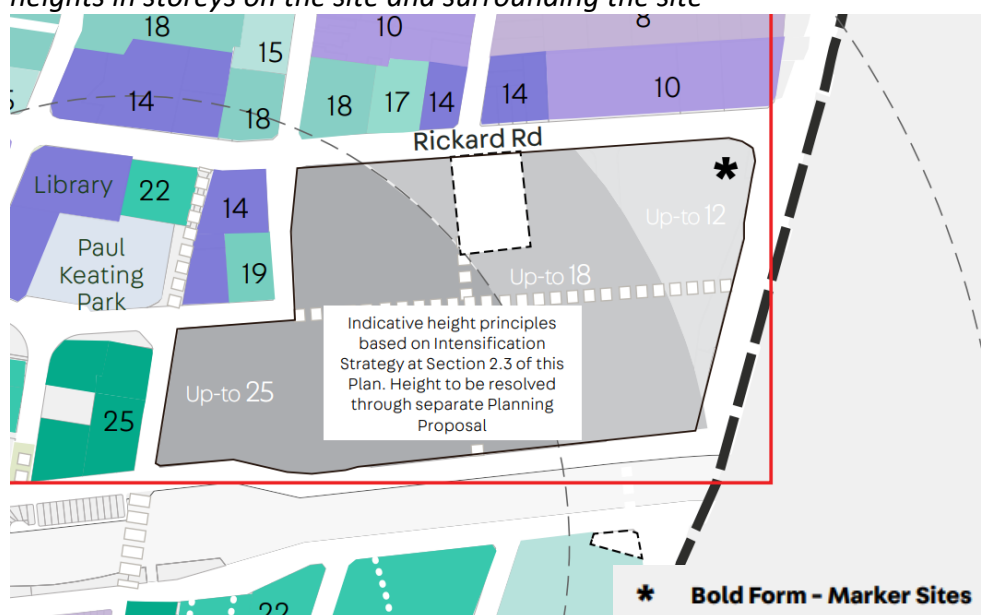


Figure 17: Bankstown City Centre Master Plan 'Proposed Building Heights Map' showing heights in storeys on the site and surrounding the site



4.2 Urban Design and Concept Structure Plan

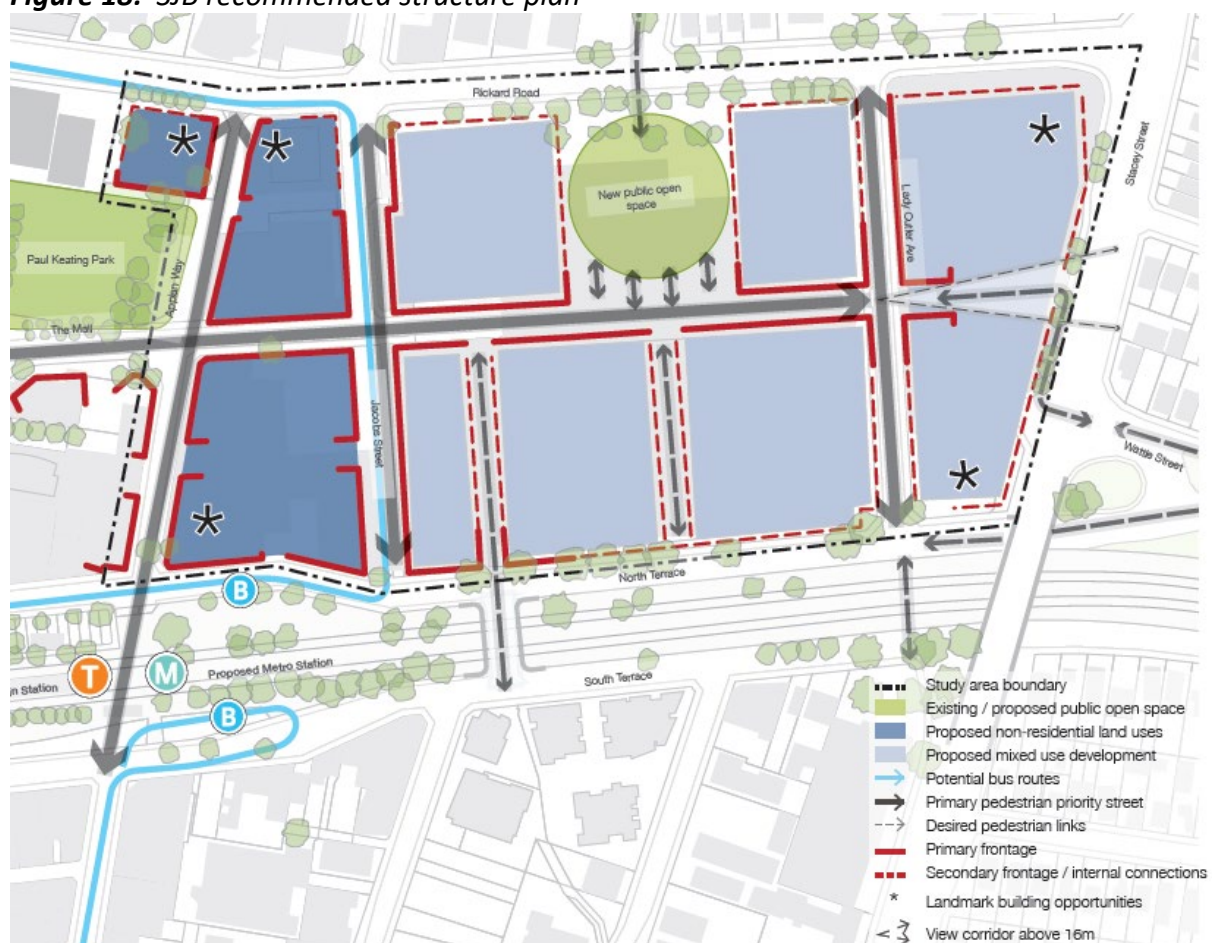
Council officers have held constructive discussions with the landowner and provided feedback on future master planning for the Bankstown Central site since 2015. Urban design and structure planning work was also undertaken in 2019 and urban design principles provided to the proponent as a guide for a future Planning Proposal in December 2019.

The Planning Proposal generally reflects the dialogue between Council and the proponent and incorporates key urban design principles developed by a Council commissioned Urban Design Study prepared by specialist urban design consultants. This document, known as the *Bankstown Central Urban Design Study* of November 2019, informs the Council's assessment of the Planning Proposal on the following 10 key urban design "structuring elements" for the redevelopment of the site:

1. A new central open space/public park of 5,000m².
2. Jacobs Street is extended between Rickard Road and North Terrace.
3. An east-west link as an extension of The Mall running between Jacobs Street and Lady Cutler Drive.
4. Land bound by the Appian Way, Rickard Road, Jacobs Street and North Terrace to be reserved for commercial land uses. Residential land uses to be minimised in order to facilitate employment generating floor space and uses.
5. Pedestrian linkages between North Terrace and the new east west link.
6. Active frontages onto all streets and open spaces.
7. Breaking up the site into smaller city blocks with new roads and internal pedestrian connections to make the site more permeable for pedestrians, outward facing with active frontages and better integrated with the surrounding area.
8. Optimise the site layout to facilitate the easy movement of people to and from public transport facilities and interchanging with other transport modes.
9. Encourage walking by locating car parking on the periphery of the centre.
10. Appian Way is the primary north south pedestrian link for the centre (noting the 'centre' includes land beyond the site to the east).

The structure plan suggested by Council in 2019 illustrates these 10 structuring elements (see Figure 19 below).

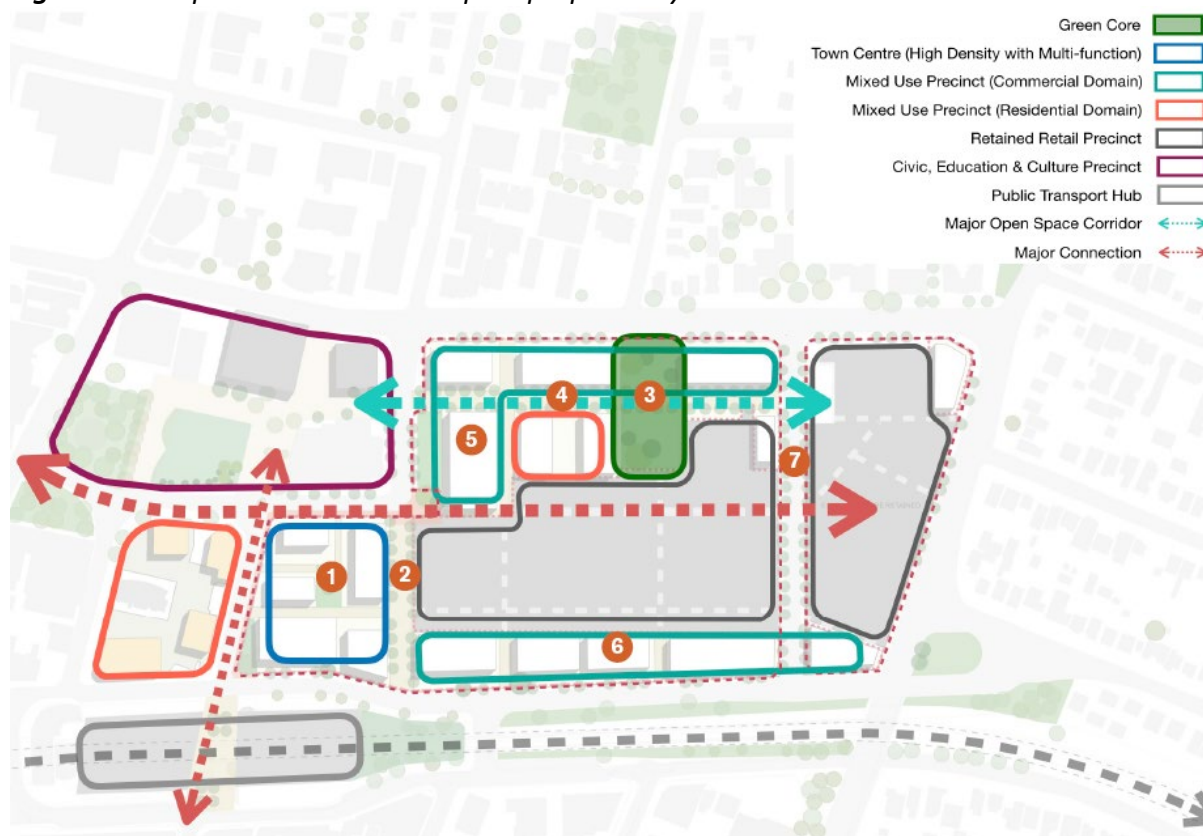
Figure 18: SJB recommended structure plan



The structure plan submitted by the proponent adheres to most of the principles developed by Council, and importantly provides a 5,000m² public park located on Rickard Road, extends Jacob Street and commits to 50% minimum employment generating uses for the Town Centre Precinct. Some of the differences between the 10 key urban design “structuring elements” developed by SJB Architects and the Planning Proposal include:

- The main east-west link is to the north of The Mall.
- The extension of The Mall through the site is to be pedestrian only and an internalised link through the shopping centre rather than an ‘open to the air’ thoroughfare.
- No new north south links between The Mall and North Terrace due to retention of the core central areas of the existing shopping centre.
- No changes to the Stacey Street Precinct in terms of providing pedestrian links.

Figure 19: Proponent’s site master plan prepared by FJMT



The proposed departures from Council’s suggested structure plan do not necessarily hinder achieving the desired outcomes. Of the above differences, a significant departure is that the east-west link suggested as an open extension of The Mall has been provided as an extension from Civic Drive to Lady Cutler Avenue. The Planning Proposal will facilitate instead of a dedicated street, an internalised east-west pedestrian link extending from The Mall to Lady Cutler Avenue. . This new internalised pedestrian link will deliver similar positive pedestrian only connectivity outcomes within an all-weather protected environment. A pedestrian only link is also consistent with Council’s Bankstown Complete Streets policy.

The proponent’s east west link to the north off The Mall in addition to the internalised east-west extension of The Mall will also improve connectivity between the northern part of the site, the eastern edge of the CBD and the CBD core and rail/Metro stations to the west and south-west by linking with The Appian Way and Jacob Street extension.

Whilst an “open to sky” east west link as an extension of The Mall is not proposed in the proponent’s concept design due to the physical constraints imposed by the continued operation of the shopping centre, it is Council’s position that this Planning Proposal does not prevent such a thoroughfare being delivered as a longer term outcome for the site. The Planning Proposal vision includes retention of a vast majority of the existing shopping centre, which physically hinder limits the ability to deliver a new pedestrian or slow traffic street through the middle of the site.

The other remaining inconsistencies between the proposal and Council’s suggested structure plan are relatively minor and will be further examined and addressed in the site specific DCP to be prepared and publically exhibited by Council concurrently with the Planning Proposal and Planning Agreement. The key matters that will be addressed in the site specific DCP will include, but not limited to:

- Character statements and design objectives for each precinct
- Staging
- Active street frontages
- Podium and tower setbacks.
- Street wall height
- Building separation
- Landscaped areas
- Public open space and landscaping
- Solar access
- Environmental sustainability
- Car parking and vehicle loading, and
- Design quality (incl. principles for varied building heights).

Environmental Sustainability

To ensure future development on the site achieves a high standard of environment sustainability and building performance, the site specific DCP will include the requirement for an Environmentally Sustainable Design (ESD) report to be submitted with DAs to confirm what building design measures will be implemented to reduce construction waste and to minimise energy and water consumption once operational.

The DCP will also require commercial development to be designed consistent with the requirements of the National Construction Code, the National Australian Built Environment Rating System (NABERS), as well as certification under the Green Star and WELL rating systems. Future residential redevelopment of the site will be required to comply as a minimum with the relevant BASIX and NatHERS requirements. Further, the site specific DCP will include sustainability requirements such as the following which will also be implemented as part of the Bankstown City Centre Development Control Plan:

- Deep soil landscape controls for increased tree canopy across the site
- Reduced heat reflectivity and absorption controls for new buildings
- Revised natural ventilation controls
- Natural refrigerants for all cooling systems
- Stormwater collection and reuse
- Green roofs and green wall design, and
- Maximum car parking rates.

4.3 Floor Space Ratio

The Planning Proposal seeks an increase in FSR for the site overall from 3.5:1 to 3.9:1 which equates to approximately 48,300m² of additional floor space. The existing and proposed FSRs for each precinct are as follows:

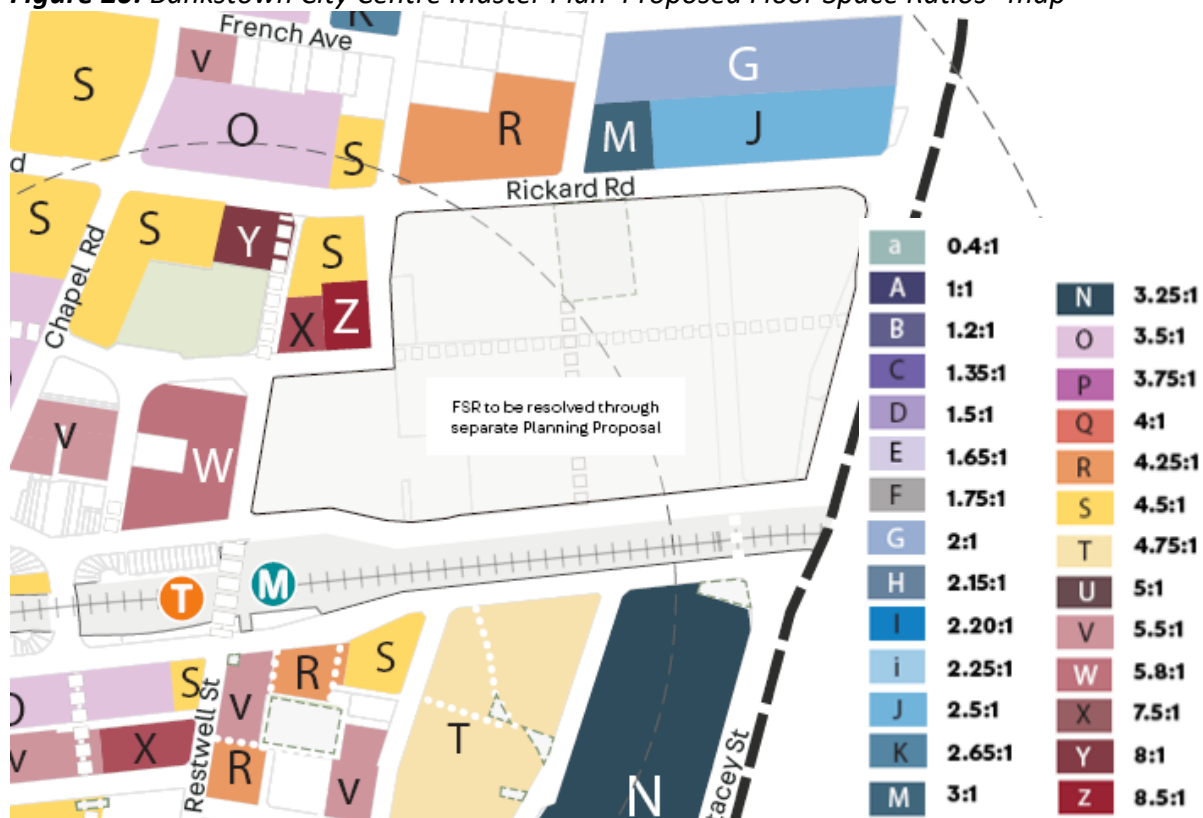
Table 4: Summary of current and proposed Floor Space Ratios for the subject site

Precinct	Current FSR	Current FSR + sustainability bonus (CI 4.4A)	Proposed FSR	Difference
Town Centre Precinct	3:1	3.5:1	7:1:	+ 3.5:1
North Terrace Precinct	3:1	3.5:1	3.8:1	+ 0.3:1
Rickard Road Precinct	3:1	3.5:1	3.4:1	- 0.1:1
Stacey Street Precinct	3:1	3.5:1	3:1	- 0.5:1

The FSR of 7:1 proposed on the Town Centre Precinct seeks to capitalise on the location of that precinct close to the CBD core and within 50m of the Bankstown railway station and future Metro station. The increased FSRs for the Town Centre Precinct (7:1) and North Terrace (3.8:1) are supported by Council because the higher FSR is located in areas that are best suited to higher building density, and thus employment and dwelling floor space, due to their proximity to mass transit transport services, the minimal environmental impacts likely to occur on the surrounding area as a result of tall towers in these locations, and the location of nearby proposed public facilities including parks and open space within short walking distance. Further discussion of the solar impact analysis of this proposal is provided below under 4.4. Building Height.

Higher FSRs in these locations will also provide a logical transition in FSRs proposed within the Bankstown City Centre Master Plan on adjoining sites to the west and south which ranges from 4.25:1 to 8.5:1 (refer to the figure below). In context of the Master Plan, the proposed FSRs for the site are consistent with those on other strategically important sites within close proximity to the future Metro Station.

Figure 20: Bankstown City Centre Master Plan ‘Proposed Floor Space Ratios’ map



To ensure employment floor space is delivered to assist Council in achieving its jobs growth target the Planning Proposal will include a planning mechanism in BLEP 2015 to impose a minimum non-residential development floor space control of 50% for the Town Centre Precinct and a minimum 40% non-residential floor space across the entire site. The details of the planning mechanism will be included in the Planning Proposal prior to exhibition.

The precinct based approach to applying different FSRs to each precinct is considered a logical and practical means of locating density in the right location and delivering the vision for the site and the Bankstown CBD. The precinct based FSRs will be reflected in the draft BLEP 2015 maps and assist with the staged delivery of public benefits linked with a Planning Agreement.

The proposed FSRs in this Planning Proposal are consistent with Council’s objectives for the future growth Bankstown CBD in the LSPS and in the Master Plan and to cater for the expected worker and resident population by 2036. . The use of an overall FSR is mainly to assist with comparisons with the current overall FSR under BLEP 2015. This has no impact on the FSRs sought for the proposal which remain as per the proposed FSRs for each precinct as outlined in Table 4 and an overall FSR for the site is not proposed to be applied as an LEP Amendment.

4.4 Building Height

The Planning Proposal will allow the site to deliver increased building heights consistent with Council’s and the State Government’s future desired character and adopted strategic vision of the Bankstown CBD.

The tallest building heights are proposed on the western and southern sides of the site, forming a cluster of taller towers in a future CBD core. This approach is supported as it is located closer to the Bankstown Railway and future Metro Station and forms a synergy with future development on the Compass Site (83-85 and 99 North Terrace and 62 The Mall) which permits towers up to 83m/approx. 25 storeys, Western Sydney University at 83m and the 'Hoyts' cinema site (63 The Mall) up to 74m/19 storeys. The proposed building heights will progressively lower in height across the site from south west to north and east to provide a scale transition with the areas to the north and east of the site.

The proposed heights are constrained to the maximum PANS-OPS building heights permitted under aeronautical constraints imposed by proximity of the site with Bankstown Airport. The maximum building height limit of RL 108.2 is consistent with the Airspace Constraints Study commissioned by Council as part of the Bankstown City Centre Master Plan. Notwithstanding, given the Master Plan did not confirm building heights on the site, referral of the Planning Proposal to the Bankstown Airport operator, Sydney Metro Airports and the relevant Commonwealth authorities such as Civil Aviation Safety Authority (CASA), would be undertaken by Council subject to conditions of a Gateway determination.

The recommended building heights have been assessed for solar access impacts and found that height has been located in areas to minimise impacts. The proposed building heights will maintain solar access to key public spaces including the future public park facing Rickard Road located on the site and the future extension of The Appian Way that will form a new pedestrian plaza between the existing heavy rail line and the new Metro station(to be delivered by 2024). A majority of the overshadowing will fall onto the railway corridor to the south of the site, to the east of the future Metro Station.

The site specific DCP to be prepared by Council will ensure the varied distribution of heights is controlled to provide a visually interesting skyline as the site develops with some variation in tower heights. Development controls such as building separation, podium/street wall heights, setbacks, solar access, car parking and landscaped areas will assist with providing appropriate built form outcomes consistent with the objectives of the Planning Proposal and strategic vision for Bankstown CBD.

The Planning Proposal building heights are compatible with the building heights envisaged for the site as part of Council's suggested structure plan of 2019. The structure plan recommended landmark towers in the north east, north west, south west and south east corners of the site and opportunities for the tallest towers to be located in the south west corner (referred as the Town Centre Precinct in this Planning Proposal), along North Terrace and on the eastern side of the site.

Council's suggested structure plan recommends towers up to RL108.2 (approximately 25 storeys) in the Town Centre and Stacey Street Precincts which is the maximum permitted under PANS-OPS aeronautical operational constraints imposed by Bankstown Airport airspace safety requirements (refer to Figure 22 below).

Council's assessment of the proposal has given regard to the design principles for the site in the suggested structure plan and the Bankstown Master Plan, and it supports locating the tallest towers in the Town Centre Precinct (up to 86m) and along the southern edge of the North Terrace Precinct (up to 83m). The location of these taller building heights aligns with the Bankstown Master Plan which proposes towers ranging in height from 19 to 25 storeys closest to the Town Centre Precinct including sites ranging from 15 to 25 storeys on the southern side of the railway line (see Figure 21).

Figure 21: Bankstown City Centre Master Plan 'Proposed Building Heights' map

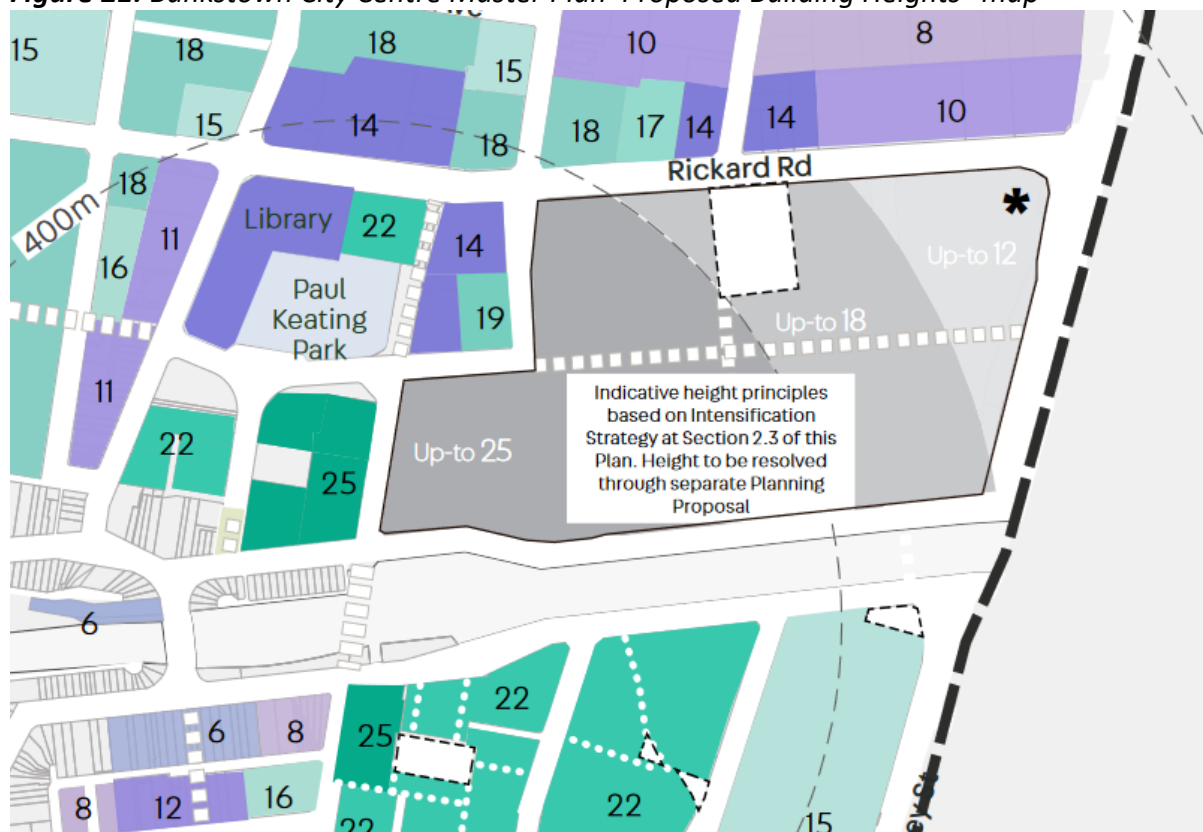
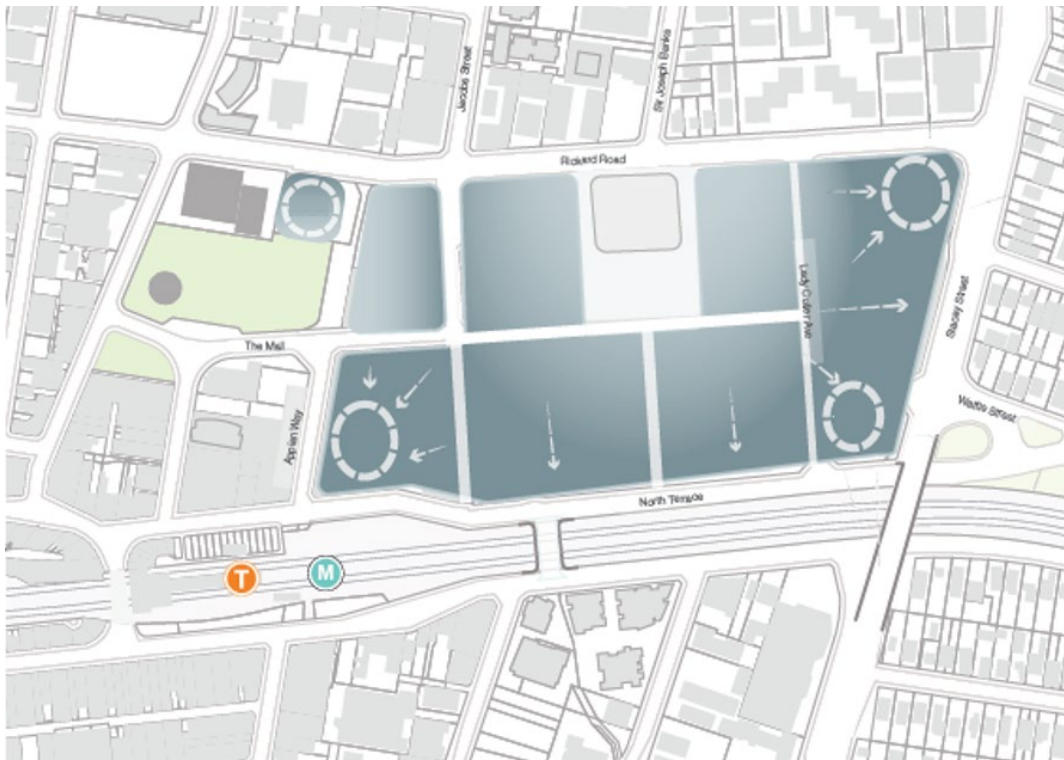


Figure 22: Recommended landmark tower locations (circled) from Council's suggested structure plan



A discussion of the key matters addressed during the assessment of building height implications for each Precinct is provided below.

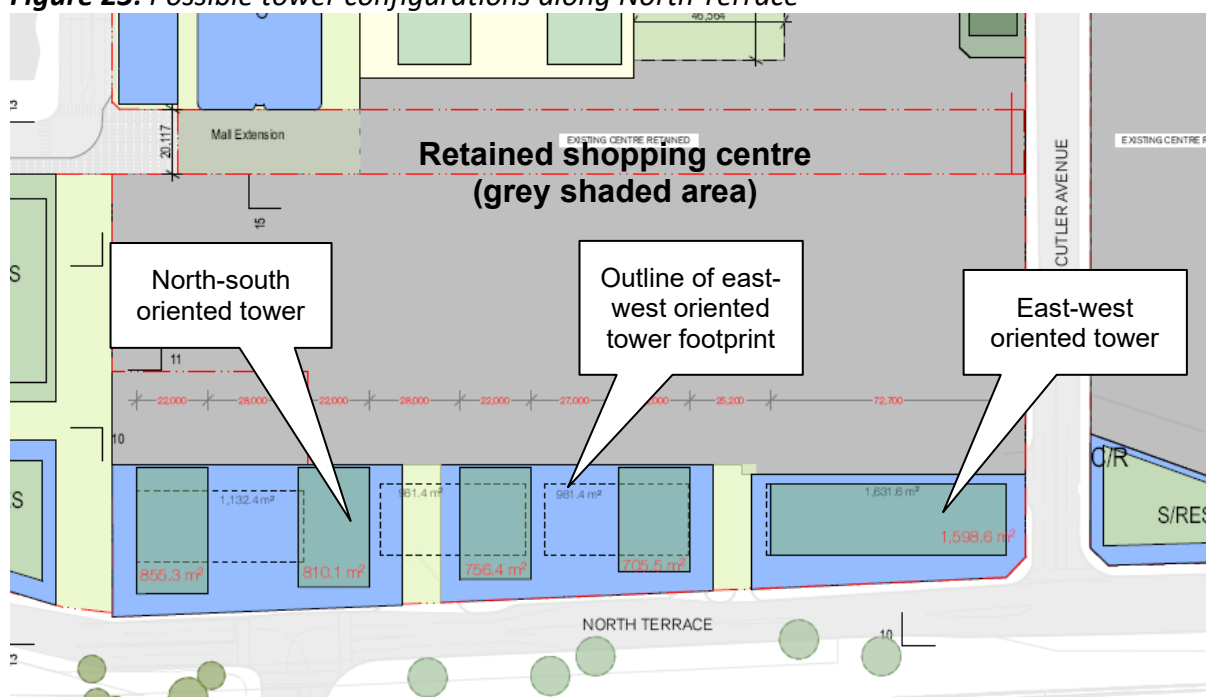
Town Centre Precinct and North Terrace Precinct

Council's assessment of the building heights for the Town Centre precinct considered potential solar access impacts on The Appian Way and onto the proposed pedestrian concourse to be constructed between the existing Bankstown railway station and the future Metro station as an extension of Restwell Street. Council's Bankstown Master Plan designates The Appian Way and Restwell Streets as 'Key Streets' and development must maintain solar access to 50% of these streets between 12pm-2pm on the Winter Solstice.

The solar analysis conducted for the proposal illustrates that 86m tower heights (RL 108.2) has no impact on the solar access achievable on the future Metro Station concourse between 12-2pm, nor will the proposal cast shadows onto the Appian Way after 11.30am on the Winter Solstice.

The Planning Proposal seeks to enable towers up to 83m along the North Terrace frontage of the site (on the southern edge of the North Terrace Precinct). Because the concept design seeks to retain the central core of the existing shopping centre, this will create relatively narrow strip of land along North Terrace where four towers are proposed to be located. The proponent provided building footprints showing towers up to 72m in length may be provided in this location in an east-west orientation due to the constraints of the site. See figure below.

Figure 23: Possible tower configurations along North Terrace



The figure above also shows indicative alternative tower forms orientated north-south which could have 22m lengths to North Terrace. Council's preference is for towers along North Terrace to have a north-south orientation to minimise visual bulk and building mass. Taller, narrower tower forms in a north-south orientation would also have the potential to minimise solar access impacts to the residential development to the south along South Terrace. Council intends to manage this issue by including objectives, and development controls if necessary in the site specific DCP to ensure towers along North Terrace minimise visual bulk and mass and maximises building separation to provide visual interest and higher amenity of occupants on and off the site in accordance with SEPP 65 and the Apartment Design Guide.

The site specific DCP will require any towers on the site to demonstrate through solar access modelling that the private open space and key living spaces of adjoining residential properties will not be adversely impacted on the Winter Solstice by future development on the site.

Stacey Street Precinct

Two towers are proposed to 'bookend' the Stacey Street precinct which comprises land bound by Stacey Street, Rickard Road, Lady Cutler Drive and North Terrace. The northern tower height of 46m will act as a marker for the eastern edge of the Bankstown CBD. The southern tower will have a maximum building height of 55m and will provide a transition to the taller towers to the west in the North Terrace Precinct to the lower scale development on the eastern side of Stacey Street. The site specific DCP will include controls to ensure noise, odour and other amenity impacts from road traffic on Stacey Street and noise from the railway line are appropriately managed to ensure good amenity of residents in the towers is maintained.

The tower heights proposed in the planning proposal give regard to the building height 'Intensification Strategy' of the Bankstown Master Plan which provides a coherent approach to applying heights across the Bankstown CBD with the tallest buildings and thus greater population density near the Bankstown railway station/future Metro station and reducing building heights the further distance from that central point. The proposed tower heights of 46m and 55m also consider the fact that the majority of the Stacey Street Precinct will remain a lower scale retail shopping centre building as part of this Planning Proposal.

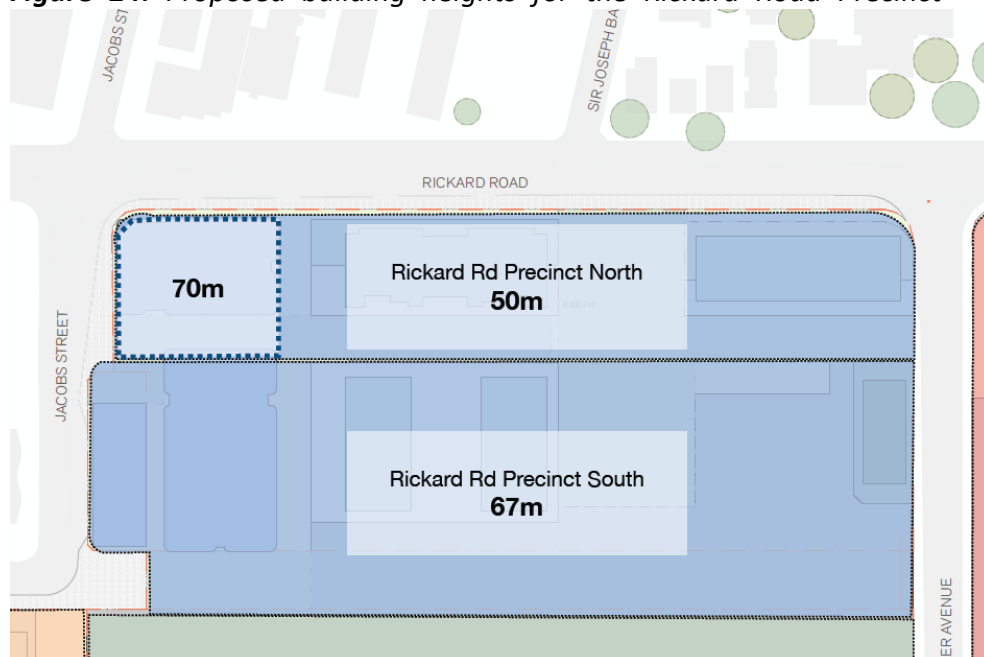
The Stacey Street Precinct is proposed to be developed as the final two stages by the proponent, likely after 2032. The proponent has advised that leases for the two largest tenancies within the Stacey Street Precinct, Woolworths and Big W, expire in 2046. Dan Murphy's lease expires in 2036. The constraints imposed by the large size of these anchor tenancies, and the long term lease expirations, will dictate when the Precinct will be available for redevelopment. For these reasons, the Planning Proposal will not increase the building height above the central core of the existing shopping centre and the existing 35m maximum building height will be maintained for the majority of the Precinct.

Rickard Road Precinct

The Rickard Road Precinct is split in into two precincts, with the Rickard Road North Precinct proposing a maximum building height of 50m with a 70m building height on the western end of the North Precinct, at the intersection of Jacob Street and Rickard Road. This 70m building height is taller than Council's suggested structure plan which recommends a 35m building height (approximately 10 storeys) along the entire northern side of the Rickard Road Precinct. The proposed 50m height is acceptable as it will be consistent with the 48m to 61m maximum building height along the northern side of Rickard Road opposite the site under the Bankstown Master Plan. The taller tower element up to 70m on the western edge of the North Precinct is supported by Council, despite the departure from Council's suggested structure plan on the basis that a 70m building height:

- Demarcates an important corner within the CBD to the site and acts a landmark tower that signals the entrance to the northern 'core' of the CBD and creates a strong visual presence on the Bankstown Central site.
- Creates a small cluster of taller towers along this part of Rickard Road that transitions from the 70m tower element (approx. 20 storeys), to Council's 11 storey Civic Tower and terminating at the proposed WSU Bankstown campus tower (19 storeys, 83m). The proposed 70m height is similar to the maximum building heights opposite to the northern side of Rickard Road of 17 and 18 storeys.
- Achieves this additional height without impacting solar access to key public open space on and off-site.
- Enhances the prominence and stature of Rickard Road as a key thoroughfare/boulevard which is a roadway of a scale that is able to support taller towers in this location.

Figure 24: Proposed building heights for the Rickard Road Precinct – North and South



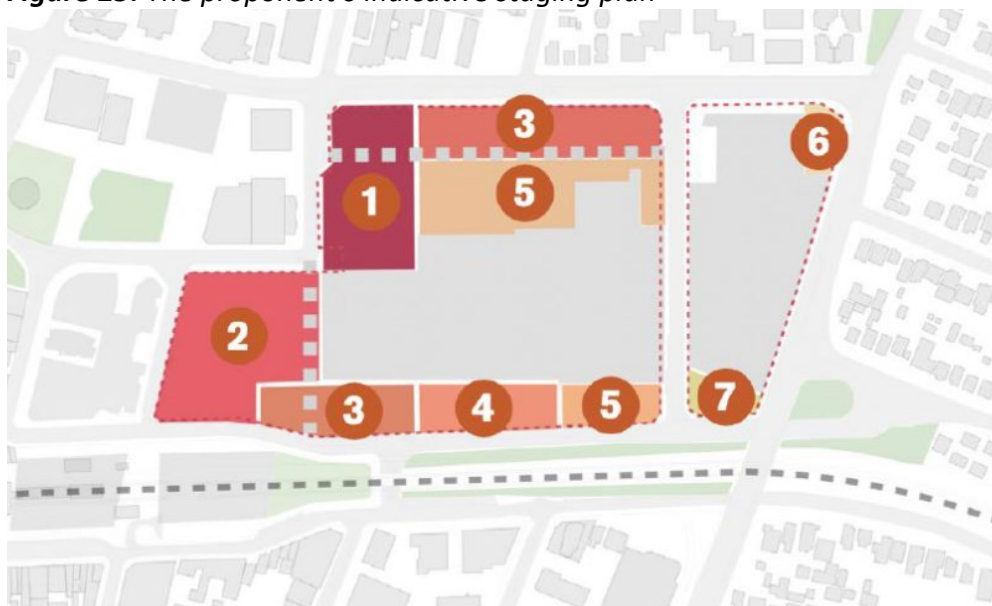
4.5 Staging

The Planning Proposal envisages delivery over seven stages (refer to Figure 25). The proposed staging is largely influenced by the timing of commercial lease expiration of large retail tenants within the Bankstown Central shopping centre site. The staging of the Planning Proposal is important to understand how redevelopment will occur over the site over the coming years, as well as how a future planning agreement for public benefits would be linked to each stage:

Stage	Indicative Timeframe
<i>Stage 1: Bus Precinct</i>	<i>2020-2025</i>
<i>Stage 2: Town Centre</i>	<i>2022-2027</i>
<i>Stage 3: North Terrace West + Rickard Road North</i>	<i>2023-2029</i>
<i>Stage 4: North Terrace Centre</i>	<i>2028-2032</i>
<i>Stage 5: North Terrace East + Rickard Road South</i>	<i>2030-2034</i>
<i>Stage 6: Stacey Street Precinct North</i>	<i>2032-2036</i>
<i>Stage 7: Stacey Street Precinct South</i>	<i>2034-2038</i>

The proponent has provided reasonable detail regarding the constraints and Council is supportive of the staging of the delivery of the project, however the key public benefits including the public park, multi-purpose indoor facility and incubator space should be delivered as early as possible to ensure the increased resident and worker population on the site is able to use these facilities once they commence occupying the site.

Figure 25: The proponent's indicative staging plan



In light of the above, Council makes the following comments regarding the proponent's proposed staging:

- It is not desirable or practical for delivery of the new public park to be split across two stages with no certainty regarding when the second part of the park will be completed. The first part of the park completed would be located within the surrounding existing car parking with poor connectivity and activation with the existing centre.
- The Jacob Street extension should be carried out in a single stage, not split across two stages (Stages 2 and 3). This is to ensure that vehicle traffic, including buses, is able to move efficiently through the Bankstown CBD particular given the conversion of The Appian Way to pedestrian focussed shared zone.

Council recognises that despite the lease expiration timing issue, the delivery of the project is dependent on external market conditions and broader economic influences. Council is cognisant that the staging provided by the proponent is indicative only and there is no guarantee that the timing proposed for the commencement of each stage of the project will proceed as nominated by the proponent.

Notwithstanding, the delivery of public infrastructure works that are required to support the intensification of the site must be delivered in a logical sequence that is linked to the redevelopment stages and incorporated into the Planning Agreement that Council will continue to negotiate with the proponent to maximise certainty around the delivery of these items.

4.6 Affordable Housing

The proposal as originally lodged in 2019 included provision of 5% affordable housing on-site which was equivalent to around 48 affordable rental units. A peer review of the planning proposal commissioned by Council identified a future need for affordable housing for persons living in the Bankstown CBD noting that *"High density Bankstown CBD living is likely to become a place for not only lone person households but also couples with children too due to the services within reach and affordable housing choice"*. The peer review report supports the provision of 5% affordable rental housing on the site.

Over the course of the assessment of the application, Council exhibited and adopted the Bankstown Master Plan in late 2021. The Master Plan includes mechanisms to incentivise new development to deliver affordable housing, new infrastructure and employment generating floor space through an incentive height and floor space system. For sites to receive a Floor Space Ratio uplift of more than 1:1 above the current maximum FSR controls, the delivery of one of the following will be required:

- The delivery of on-site infrastructure,
- The delivery of affordable housing, or
- The delivery of substantial employment generating floor space (greater than 50%).

The Master Plan stipulates that development that is providing onsite infrastructure, or more than 50% employment generating floor space will not be required to contribute to affordable housing. The Master Plan defines 'on-site infrastructure as any of the following:

- Through-site links.
- Open space (new or expansions of existing).
- Sports and recreational facilities.
- Multi-purpose facilities.

While the application is being progressed separately to the Bankstown Master Plan Planning Proposal, it is important that it reflects its principles. One of the key principles of the Master Plan is for key sites to include delivery of 50% employment generating floor space in the Town Centre Precinct. The proposal adopts this requirement and also proposes 40% employment generating floor space across the site overall and new public open space and a multi-purpose sporting facility. If the site were within the Master Plan area, there would not be a requirement to deliver affordable housing. It is acknowledged that the controls within the Master Plan in relation to uplift were not necessarily envisaged to apply to large sites of the scale of the Bankstown Central site (11.4ha) and therefore comparisons of the site with surrounding, much smaller sites which are subject to the Master Plan incentive planning mechanisms, is not an instructive comparison.

It is important to note that the site is not currently built to its maximum potential and the proponent has the ability to submit a Development Application for shop top housing across the site. If a DA was submitted under current planning rules it would not be required to deliver any affordable housing or public infrastructure as identified in this Planning Proposal.

As noted in this report, the Planning Proposal has the potential to supply 60% of Council's target of 14,000 new jobs in the Bankstown CBD by 2036 as outlined in the adopted Bankstown City Centre Master Plan. This is a significant contribution towards fulfilling the targets of Council and may reduce development pressures on other areas within the LGA. In addition, the Letter of Offer submitted by the proponent will include provision of public infrastructure that will benefit the residents and workers on the site in the future, as well as people that visit from outside of the site.

The proponent has submitted an Affordable Housing Statement of Intent which makes the following comments:

- The provision of affordable housing will be explored by the land owners.

- The proposal will facilitate key worker accommodation within the site which could help support the delivery of employment generating uses on the Site and across the Bankstown CBD including future infrastructure like a new hospital in the CBD, the provision of allied health services and expansion of education uses within the CBD, including WSU.
- Subject to its financial viability, the proponent will consider the provision of a component of affordable housing on the site as the design of the residential components are developed.
- The proponent is in discussions with WSU regarding the potential for student accommodation to be delivered on the site to support its initial demand.
- It is the proponent's intention to retain ownership of any affordable housing delivered on the site. This poses a barrier as to how affordable housing will be incorporated into the Build to Rent (BTR) given such housing will not be able to be transferred to Council or other party to be managed.

For the reasons above, Council has accepted that affordable housing will not be a mandatory requirement of the Planning Proposal as the required minimum employment generating floor space will be delivered across the site.

4.7 Public Benefit/Infrastructure Needs

The proponent has provided a Letter of Offer that outlines a commitment to deliver a range of public infrastructure and community benefits to be delivered following the finalisation of the Planning Proposal and the making of the LEP Amendment. The items in the Letter of Offer are summarised in the table below and include the proponent's proposed method of delivery and timing. Further negotiation is required between Council and proponent to ensure the scope of works, delivery and timing is acceptable. The items contained in the Letter of Offer will be ultimately included as part of a Planning Agreement to be exhibited and finalised post Gateway.

Table 5: Requested items for Public Benefit and required infrastructure works

Public Infrastructure/benefit	Proponent's Delivery and Timing
1 An easement over a 5,000m ² publically accessible open space (Public Park) along Rickard Road including a playground and urban plaza. The Proponent will deliver the works and create an easement over the park in favour of Council to facilitate public access. The park would remain in the ownership of Vicinity.	<p>To be delivered in stages with the northern portion of the park to be delivered prior to the issue of the Occupation Certificate (OC) for Towers L and M. The southern portion of the park to be delivered prior to the issue of the OC for Towers Q and R.</p> <p>Capped at a total cost of \$5.5 million excluding demolition and costs associated with reconfiguring the Centre to construct the park.</p> <p>Council comment: The staged delivery of the park is not supported as there is no certainty when the second portion will be delivered. This is an important component of the long term success of this site and should be delivered in a single stage. The total cost has yet to be reviewed by Council.</p>

<p>2 Extension of Jacobs Street between The Mall and North Terrace into a shared bus and pedestrian way to North Terrace</p>	<p>The Proponent to demolish and clear the land of all structures and improvements where the Jacobs Street extension is to be located within the eastern side of the Town Centre Precinct. That part of the site would be then handed over to Council to construct the road prior to the first OC being granted for redevelopment of the Town Centre Precinct.</p> <p>Upon Council's completion of the road works the land will be subdivided, and ownership transferred to Council. All costs associated with the land subdivision would be borne by the Proponent.</p> <p>Council comment: Council does not object in principle to the proposed delivery and timing of this item. However the transfer of ownership of the future Jacobs Street extension to Council should occur at the time of the first OC as they are likely to be multiple OCs related to this Precinct.</p> <p>It is Council's expectation that the design and construction of the Jacobs Street extension would be delivered by the applicant (in consultation with Council) as a requirement of any future DA for the Town Centre Precinct as is the standard practice for other large scale redevelopment in the Canterbury Bankstown LGA.</p>
<p>3 Deliver a 1,000m² Multi-Purpose Facility (MPF) for two indoor courts and enter into long term lease with Council to operate.</p>	<p>Council to provide the Proponent with a 30-year triple net lease for \$1 net rent plus outgoings including land tax in relation to the MPF. The intention being the MPF is leased with a "peppercorn" rent with ongoing maintenance and operational costs to be borne by Council and offset with income generated from its operation.</p> <p>The delivery of the MPF will be subject to DA approval and the MPF GFA is to be allocated based on bonus GFA over and above the FSR allocated to the Land as shown on the FSR map or otherwise available to the site.</p> <p>If a suitable location is not identified and agreed between the proponent and Council the proponent will provide a monetary contribution of up to \$4million to Council for construction of the facility elsewhere within the Bankstown area.</p> <p>Council comment: Council accepts ongoing management of the facility and does not object in principle to the proposed 'peppercorn rent' arrangement, however the costing for the \$4million monetary contribution has not yet been reviewed by Council. Council has yet to form a position on offsetting the MPF GFA as additional FSR over and above the proposed FSR of 3.9:1.</p>

<p>4 Deliver 200m² of Incubator Space to be fitted out as a warm shell open plan layout suitable for use as office space and enter into long term lease with Council to operate.</p>	<p>Council to provide the Proponent with a 30-year triple net lease for \$1 net rent plus outgoings including land tax. The intention being the Incubator Space is leased with a “peppercorn” rent with ongoing maintenance and operational costs to be borne by Council and offset with any income generated from its operation.</p> <p>The delivery will be subject to DA approval and the Incubator Space’s GFA is to be allocated based on bonus GFA over and above the FSR allocated to the Land as shown on the FSR map or otherwise available to the site.</p> <p>Council comment: Council accepts ongoing management of the facility and does not object in principle to the proposed ‘peppercorn rent’ arrangement, however Council has yet to form a position on offsetting the incubator space GFA as additional FSR over and above the proposed FSR of 3.9:1.</p>
<p>5 Completion of proposed town centre separated cycleway along the southern side of Rickard Road and the eastern side of The Appian Way frontages to the site in accordance with Complete Streets requirements.</p>	<p>Works to be delivered in accordance with Complete Streets requirements and staged to align with the delivery of each adjoining building within the detailed concept masterplan.</p> <p>Council comment: Council does not object in principle to the proposed delivery and timing of this item. However in the event there is an opportunity to deliver the works prior to when the proponent proposes, Council should be able to seek funding for the works from the proponent and the item removed from the Planning Agreement.</p>

4.8 Transport and Access

Vision for Bankstown CBD under the Master Plan and Complete Streets

The Complete Streets CBD Transport and Place Plan was adopted by Council in October 2019. The Complete Streets plan provides a vision and detailed framework to transform Bankstown into a more liveable, safe and attractive City. The core principle of Complete Streets is to provide well-designed, quality streets so that whether by foot, bike, bus, train or car it is easy to get into and around the city centre safely and conveniently. Complete Streets seeks to make the Bankstown CBD a desirable destination to live, work and visit, famous for its cultural diversity and walkable streets.

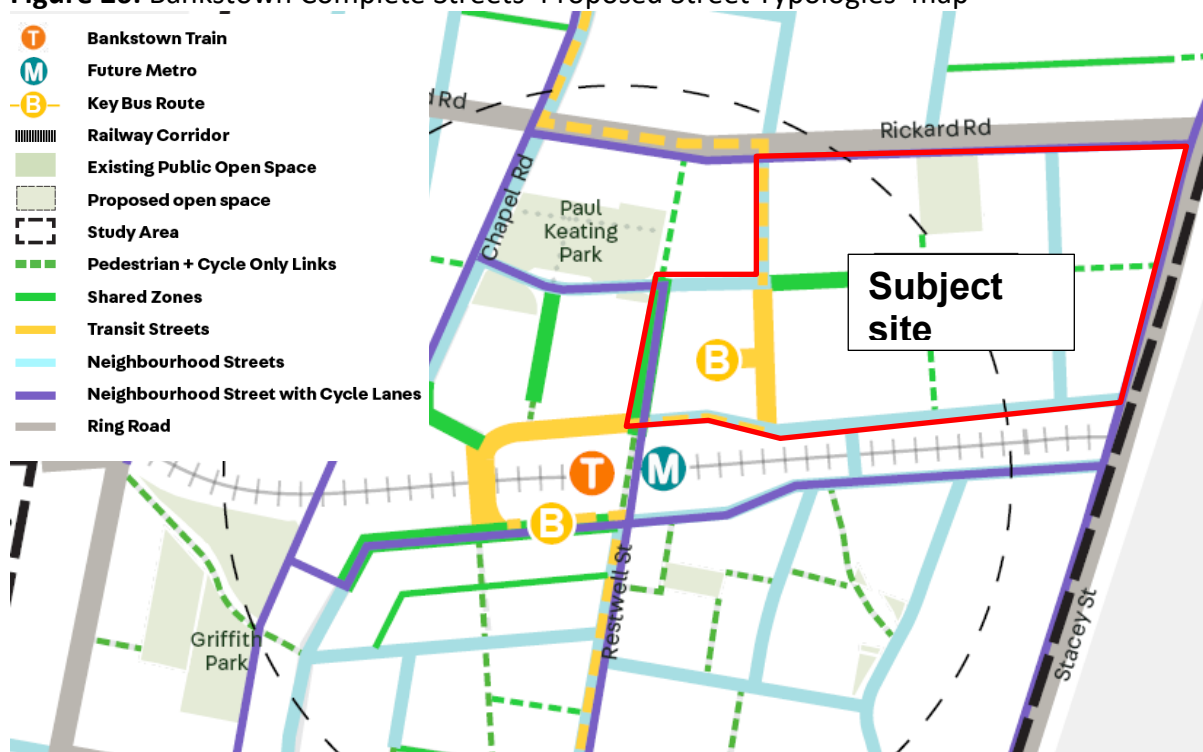
The key strategies of Complete Streets relevant to the Planning Proposal are:

- Strategy D – Simplify bus routes and better integrate station and layover space.
- Strategy E – Slower, safer CBD streets.
- Strategy F – High amenity CBD streets.
- Strategy H – Connect regional cycling links through the CBD.
- Strategy J – Create pedestrian priority ‘Activity Spine’ linking key destinations with transport

Council provided the proponent with these principles prior to the lodgement of the application and the Planning Proposal has addressed these requirements through providing the Jacob Street extension, providing an east-west extension through the site, including pedestrian focused boulevards and plazas, and committing to deliver the cycleway along Rickard Road and The Appian Way.

Complete Streets has been developed through detailed microsimulation traffic modelling undertaken by independent traffic consultants. The modelling included consideration of how the Bankstown CBD street network will respond to and require changes to accommodate traffic and parking demands from future development and increasing pedestrian/cycling movements. Complete Streets also has considered the potential Bankstown Central redevelopment and provides recommended street changes on and around the site to cater for the planned growth on the site (refer to the figure below).

Figure 26: Bankstown Complete Streets ‘Proposed Street Typologies’ map



The Bankstown City Centre Master Plan builds on the vision and detailed traffic modelling work completed in Complete Streets by providing new building height and density controls as well as identifying new public open space and other public infrastructure that is required for Bankstown to develop into the future. A key change that is included in the Bankstown Master Plan is the introduction of a maximum parking rate for private development in the inner core area (approximately 400m walking distance from Bankstown railway station). Outside this core area, a reduced minimum and upper maximum parking rate will apply. The rates have been informed by Council’s Off-Street Parking and Servicing/Loading Study for Bankstown.

Outside of core car
parking rates apply



Table 6: Review of proponent's car parking rates against Bankstown Master Plan

Canterbury Bankstown Local Planning Panel Meeting held on 7 March 2022

Hotel	0 to 0.2 spaces / room	Not addressed in Master Plan	Further detail required post-Gateway. See assessment discussion below under 'Assessment of the Traffic and Transport Implications of the Planning Proposal '
Student accommodation	0.1 spaces / apartment	Not addressed in Master Plan	
Child care centre	Nil	Not addressed in Master Plan	

Permanent Bus Interchange Location - Council's Position

A key public transport issue that affects the Bankstown CBD and Planning Proposal that has yet to be progressed by TfNSW relates to the future permanent location of the bus interchange for Bankstown that is currently within the Bankstown Central site. The issue of the permanent location of the bus interchange is not yet resolved despite several years of Council requesting TfNSW prioritise the matter for resolution in consultation with Council and Vicinity.

On 14 May 2021, Council approved a development application for minor partial demolition of elements of the existing Bankstown Central shopping centre. The approved works will accommodate the relocation of the existing bus interchange to a new interim location for bus layover within the site, between The Mall and North Terrace, with associated line markings, pedestrian crossings and bus stops. The new temporary bus layover will provide 10 bus layover bays (both on-site and on-street).

These works have commenced and it is expected the temporary interchange will commence operation in 2022. Once operational, the existing bus interchange on the Bankstown Central site fronting Jacob Street will close and be converted to a customer car park.

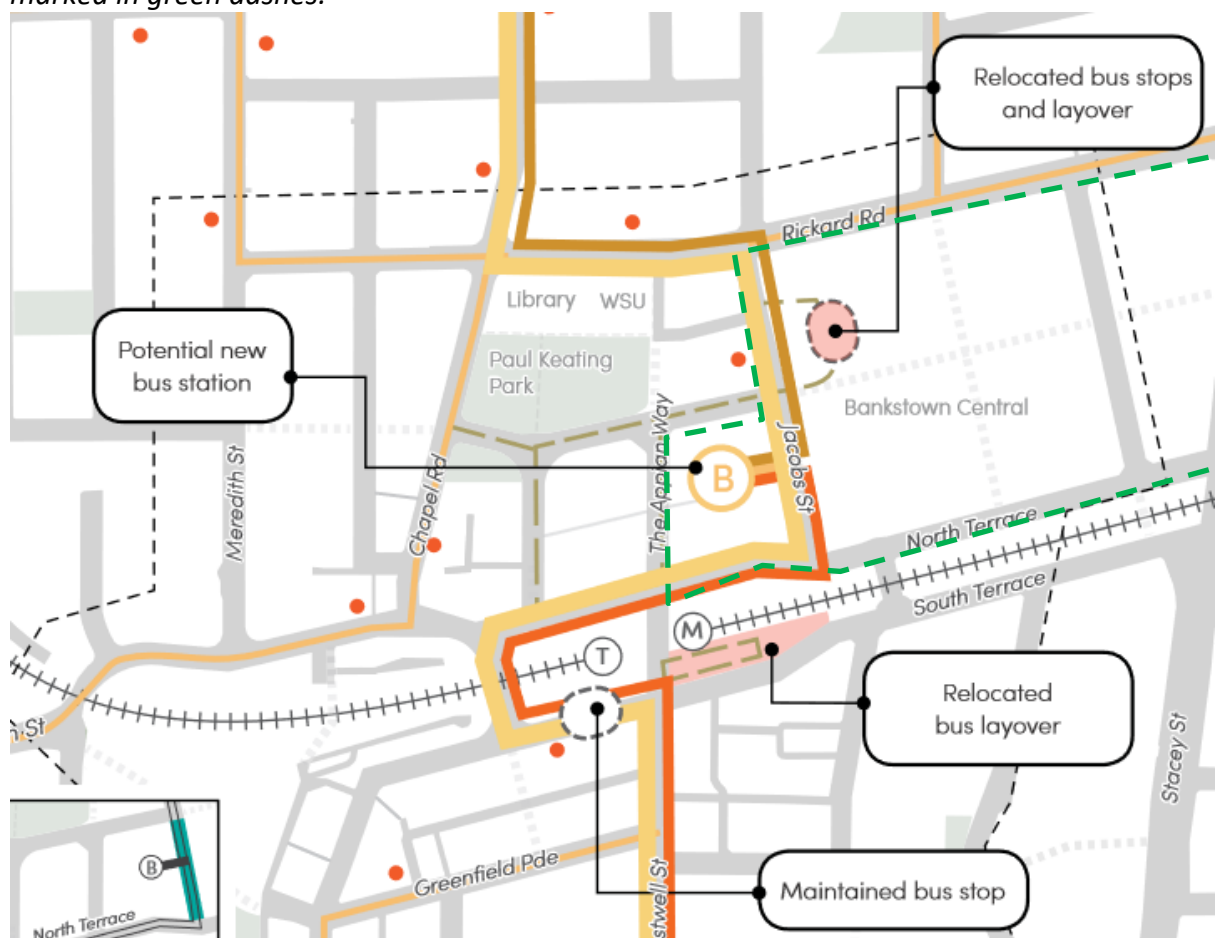
Figure 28: Approved temporary bus layover (DA-529/2020) & map with location shaded



Council's Complete Streets nominates the bus interchange in the Town Centre Precinct as a new permanent location as part of a reconfiguration and rationalisation of the bus routes that run through the Bankstown CBD noting that this is ultimately a decision for TfNSW. The reasons for this preferred permanent location are:

- Simplified north-south bus services along one route.
- Results in an amalgamated bus interchange (currently two) on the north side of the future Metro station. This location allows service to be integrated with the future Metro and service key destinations, including the future WSU campus, Bankstown Central and Saigon Place.
- Includes layover space and allows for the removal of existing layover space south of the railway.
- Less bus movements across the bridge (due to amalgamated bus interchange).

Figure 29: Future public transport network map (from Complete Streets p127). The site is marked in green dashes.



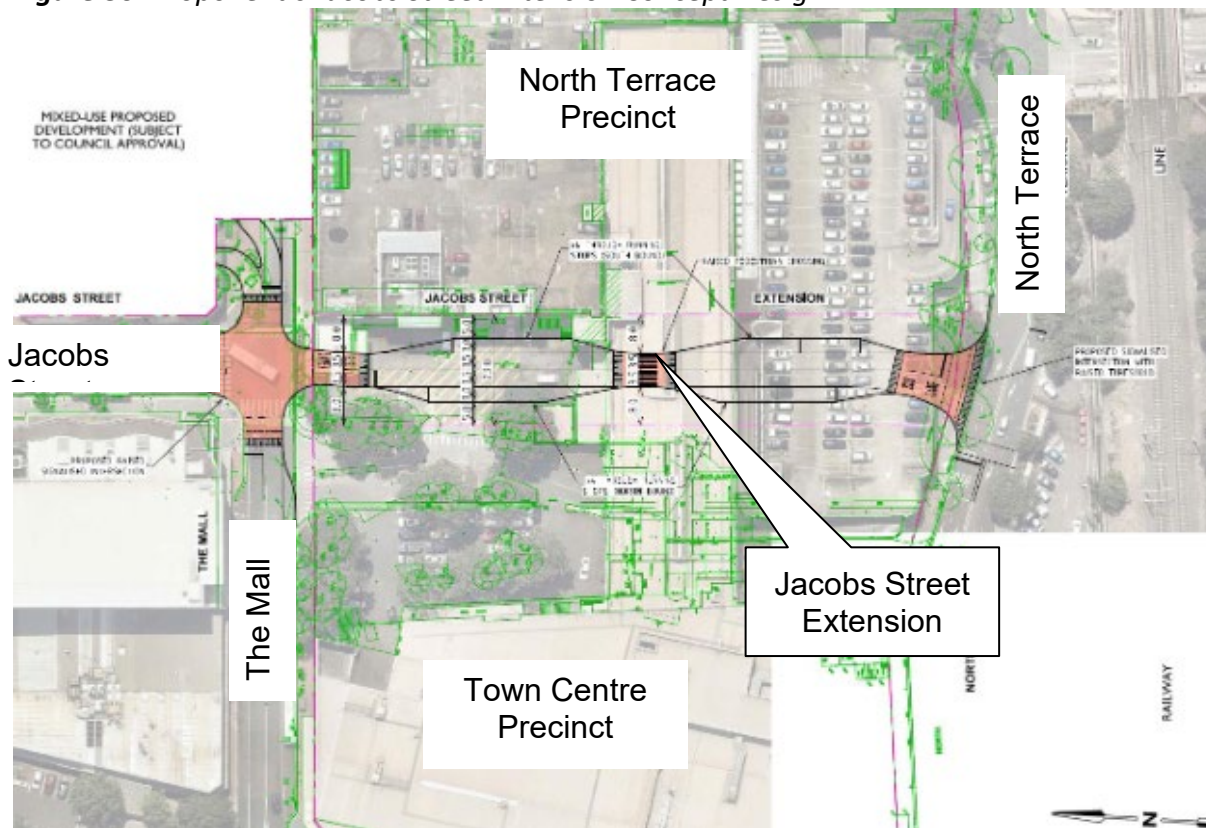
Permanent Bus Interchange Location – Proponent’s Position

The proponent considers that the provision of a bus station within the CBD – such as on the Bankstown Central site – is considered unnecessary. Rather, the adoption of an on-street bus stop arrangement is considered preferable for the long-term planning of the CBD for the following reasons:

- It supports the provision of a productive CBD by avoiding the inefficient use of land.
- It improves bus operating travel times by avoiding deviations off the road network carrying the bus services.
- It places bus services in the public domain where buses are visible (not hidden within a station) and will promote public transport use.
- It improves the experience for users of the buses by allowing persons to wait in weather protected but open-air areas, with high levels of amenity and security provided from adjacent land use.
- Aligns with the Complete Streets objective of simplifying bus routes through the CBD and with the arrangement envisaged within that document for Bankstown Plaza South.
- Is proximate to other transport services including Bankstown railway station/future Metro station.

To achieve this outcome, the proponent's traffic consultant proposes to remove the bus interchange from the Bankstown Central site and create a bus layover in the future Jacob Street extension as shown in the concept diagram below. This would be delivered in a staged approach to allow changes to the surrounding road network to occur before the Jacob Street extension and bus layover is constructed and becomes operational.

Figure 30: Proponent's Jacobs Street Extension Concept Design



The proponent's revised traffic impact assessment makes the following statement regarding the future permanent location for the bus interchange:

"Recent discussions between WSP and Transport for NSW (TfNSW) indicate that terminating bus services will not need to remain within the CBD indefinitely and should indeed be positioned outside of the CBD e.g. to its north. This advice is consistent with TfNSW's Guidelines for Planning of Bus Layover Parking (Sept 2018), which states the following regarding the location of layover bays:

The location of bus layover should support productive places. To this end locating layover outside of centres where compact form and walkability are key features should be considered. Where layover is located within a centre it should be located away from streets with high levels of active frontages and areas of pedestrian activity. Within centres options to minimise the footprint of the layover should be thoroughly investigated".

Permanent Bus Interchange Location – Way Forward

While it is evident that Council and the land owner (Vicinity) have differing opinions on the permanent location of the bus interchange, both parties are willing to work towards a solution that aligns with the objectives of Bankstown Complete Streets and intended outcomes of the Planning Proposal.

TfNSW has yet to provide any response or clarification on the preferred location for the bus interchange. At the meeting in February 2022 between Council and TfNSW, TfNSW Officers advised the project will be progressed however no certainty has been provided when a decision will be made. It is noted that TfNSW did not object to the relocation of the existing bus interchange under DA-529/2020 and provided recommended conditions of development consent for Council to include in the DA determination.

Council awaits a response from TfNSW on this matter and will participate in discussions with TfNSW and Vicinity on resolving the permanent location for the bus interchange or layover. However given Council has requested a decision from TfNSW for several years, the assessment of the Planning Proposal can no longer be delayed and must progress towards consideration by Council's Local Planning Panel. The Planning Proposal can proceed towards Gateway while the bus interchange matter is resolved by TfNSW, Council and Vicinity. Any revisions necessary to accommodate the bus interchange on the site can be made post-Gateway as stipulated by conditions of the Gateway determination.

Early Engagement with TfNSW

Council has continued to engage with TfNSW during the preparation of the Bankstown Complete Streets Place Strategy and during the preparation of the Bankstown City Centre Master Plan. Similarly, Council has engaged with TfNSW early in the process for this Planning Proposal and requested initial high level feedback on the Planning Proposal in August 2021 following receipt of the amended proposal and response to information request from the proponent in July 2021.

TfNSW provided preliminary comments to Council regarding the Planning Proposal on 24 December 2021. Council met with TfNSW in February 2022 to discuss the letter and will continue to engage with TfNSW as the Planning Proposal progress. However, Council notes that most of the issues raised by TfNSW in their preliminary comments are broader transport issues that have already been addressed in the Bankstown Complete Streets Place Strategy and Bankstown Master Plan.

Following the meeting with TfNSW, Council provided copies of the Bankstown Complete Streets Place Strategy including the associated traffic modelling files, the adopted Bankstown City Centre Master Plan including its supporting traffic study to assist with TfNSW's further review of the broader traffic and transport implications across the Bankstown CBD. As noted above, Council has sought to engage with TfNSW across all significant strategic planning projects.

The table below provides a response to each of the matters raised by TfNSW and how the matters have either already been addressed in previous work completed by Council or are proposed to be addressed once there is greater certainty regarding the Planning Proposal, post-Gateway.

The proponent has also provided a response to the TfNSW letter and clarified the scope for further work to be done post-Gateway as it pertains to this Planning Proposal. Council concurs with the proponent's response and approach to separate traffic and transport matters that are relevant to the Planning Proposal and for other matters that fall outside the scope of the Planning Proposal and require a separate response by Council.

Transport for NSW Issue	Council Response
<p><u>Existing conditions assessment</u></p> <p>Define the existing conditions of the transport system serving the master plan site, addressing the levels of performance for all transport modes, including walking, cycling and freight.</p>	<p>Response: Council has completed this work as part of Bankstown Complete Streets.</p> <p>Council and the proponent's traffic consultant can work together to review and amend the existing traffic modelling prepared for Bankstown Complete Streets if necessary to reflect any changes to existing conditions since the model was completed.</p>
<p><u>Connections</u></p> <p>Assess the impacts and opportunities arising from the master plan proposal on travel demands and operation of the rail and bus networks and future Metro.</p> <p>Define a clear, permeable and accessible precinct network of walking and cycling connections to help achieve a sustainable transport system to accommodate the master plan proposal.</p>	<p>Response: Bankstown Complete Streets already provides details on how the road and transport infrastructure will be improved to cater for planned growth across the entire CBD, including the Bankstown Central site. The Bankstown City Centre Master Plan also provides details on how walking and cycling will integrate with the future Metro.</p> <p>Details on the pedestrian and cycling connections will be included in the site specific DCP and will be consistent with Bankstown Complete Streets. The proponent will be required to address this in the DA stage of the project.</p>
<p>Investigate opportunities for a permanent bus interchange in consultation with TfNSW and Council.</p>	<p>Response: Council has approached TfNSW on this matter with no clear direction or resolution from TfNSW. Council will continue to prioritise this matter and seek to progress towards a decision with TfNSW and Vicinity.</p> <p>Council considers this matter can progress concurrently with the Planning Proposal and should be resolved before exhibition of the Planning Proposal occurs.</p>
<p><u>Traffic generation rates</u></p> <p>Traffic generation rates should be identified through empirical evidence (i.e. surveys of similar land uses with comparable characteristics) with consideration of cumulative impacts of other known traffic generating developments within the area of influence.</p>	<p>Response: Council's traffic impact assessment peer review has identified some additional information that is required to provide justification for traffic generation rates used by the proponent.</p> <p>Council will request this information post-Gateway and update the Planning Proposal and support reports prior to exhibition.</p>
<p><u>Transport Modelling</u></p> <p>The following three stage modelling approach should be considered:</p> <ol style="list-style-type: none"> 1. Strategic transport modelling using existing model resources (i.e. STM and STFM) to identify travel 	<p>Response: 'Aimsun' microscopic modelling has already been independently completed which informed the Bankstown Complete Streets analysis and recommendations.</p>

Transport for NSW Issue	Council Response
<p>demands, patterns and mode splits.</p> <p>2. Appropriate modelling software that considers route choice based on travel time delay and dynamic/coordinated traffic signal operations (i.e. microsimulation, hybrid model, or mesoscopic model).</p> <p>3. Intersection modelling - based on the flows from the above modelling exercise.</p>	<p>Council has provided the microscopic modelling results to TfNSW along with the supporting reports and documents including the Traffic Modelling Report, Transport and Place Analysis and Workshop Summary.</p>
<p>The above modelling approach should include a base year model, future years base case (without development), and a separate model with full development and background traffic growth. Consultation should be undertaken with TfNSW and Council to agree on the year the future base should be modelled.</p>	<p>Response: As above, Bankstown Complete Streets already provides details on how the road and transport infrastructure will be improved to cater for planned growth across the entire CBD, including the Bankstown Central site.</p>
<p>The proponent's traffic consultant should collaborate with TfNSW and Council to identify and agree on the geographical boundary/extent of the model study area which will be based on the output from the strategic models (Item #1 above), key travel links to measure impacts of development traffic on travel time and intersections to be modelled.</p>	<p>The detailed microsimulation model completed for Bankstown Complete Streets can be reviewed and adjusted by Council and/or the proponent in consultation with TfNSW if required. There should be no need to create a new traffic model.</p> <p>This matter can be undertaken post-Gateway and resolved before the matter is reported to Council post-exhibition.</p>
<p><u>Identified Road and Transport Infrastructure</u></p> <p>Based on the above modelling outputs, identify transport and road infrastructure requirements to support the proposed increase in floor space and changes to land use. Staging based on trigger points linked to GFA/masterplan stages should be identified.</p>	<p>Response: To be addressed in site specific DCP and DA stage.</p> <p>Bankstown Complete Streets identifies transport and road infrastructure requirements to support the proposed increase in floor space and changes to land use across the entire CBD including the Bankstown Central site.</p> <p>The proponent has provided an indicative staging plan that comprises seven stages to 2036 and potentially beyond. Council will work with the proponent and TfNSW as required to ensure necessary transport infrastructure is delivered at each stage of the development. This can be addressed within the site specific DCP and be required to be detailed at the DA stage when the final design and development yields are confirmed.</p>

Transport for NSW Issue	Council Response
<p>The proponent's traffic consultant will be required to work in collaboration with Council and TfNSW to develop a precinct network of walking and cycling connections linked to the master plan site to help achieve a sustainable transport system.</p>	<p>Response: To be addressed in site specific DCP and DA stage.</p> <p>The Bankstown Complete Streets already identifies Council's preferred and recommended walking and cycling in and around the Bankstown Central site. The proponent's concept development plan also has considered how pedestrian movements will be integrated as the site redevelops.</p> <p>The site specific DCP can include refinements and more detailed controls in relation to these matters. Council intends to work with the proponent and will consider input from the proponent's traffic consultant in developing the site specific DCP.</p>
<p><u>Funding of transport and road network infrastructure</u></p> <p>High level strategic/concept engineering plans overlayed on an aerial to scale should be developed to determine feasibility including any third party land components.</p>	<p>Response: These matters fall outside the scope of the Planning Proposal.</p>
<p>Strategic cost estimates of any identified walking, cycling, and road infrastructure required in support of the Planning Proposal should be prepared. These costs should align with the NSW Global Rates.</p>	<p>The Bankstown Complete Streets is a holistic vision and comprehensive plan that identifies required transport infrastructure for the Bankstown CBD. Further, the Greater Sydney Commission's <i>Collaboration Area – Bankstown CBD and Bankstown Airport Place Strategy</i> includes an action for TfNSW to lead the development of a place-based integrated transport strategy that considers the health, academic, research and training precinct, growth at Bankstown CBD and connectivity to, from and within the Collaboration Area. This work has yet to be finalised.</p>
<p>In consultation with Council, DPE and TfNSW, identify a planning/funding mechanism to deliver the identified transport infrastructure.</p>	<p>Ideally the issues raised by TfNSW should be resolved through the place-based integrated transport strategy for the Bankstown CBD. Any recommendations of the place-based integrated transport strategy would be expected to be incorporated in the Gateway determination.</p> <p>Council welcomes the opportunity to continue a dialogue with State Government agencies on this matter.</p>

Assessment of the Traffic and Transport Implications of the Planning Proposal

The Planning Proposal was supported by a Transport Impact Assessment which found that the additional traffic generated by the indicative development yield is unlikely to have a notable impact on the operation of the road network in the future, subject to the adoption of progressive car parking and traffic generation rates nominated by the proponent's traffic consultant. The Transport Impact Assessment also notes that approximately 4,775 car spaces would be required for the proposal, an increase of 1,475 car spaces over the existing parking provision on-site.

An independent peer review of the Transport Impact Assessment commissioned by Council concludes that the proposal will have an increased traffic and parking impact on the Bankstown CBD road network and provides six recommendations for further information to be provided to ensure the impacts can be managed. The six recommendations are provided below.

- *Recommendation 4 – Car parking:* further detailed justification will be required during subsequent applications to ensure adequate parking is provided for the various uses. This should consider all land uses, temporal parking demands, and the cross-utilisation of parking spaces.
- *Recommendation 5 – Traffic generation:* The rates for residential hotel and student accommodation are accepted. It is acknowledged that adopting reduced parking rates would result in reduced trip rates. Further clarification is regarding the retail and commercial trip generation used in the modelling. Further justification will be required during subsequent applications to ensure road network impacts are adequately considered and mitigated.

Comment: Council considers the car parking rates, and resultant traffic generation, for the proposal requires resolution prior to the Planning Proposal being finalised. Council will address Recommendation 4 and 5 by including car parking rates in the site specific DCP to be prepared by Council for the site, to be informed by further information (and traffic modelling) from the proponent. Applying maximum car parking rates for the site in the DCP will be considered, to minimise traffic impacts, consistent with Council's Bankstown Complete Streets and Master Plan.

- *Recommendation 6 – Traffic Impacts:* justification is required for the adopted parking rates, insofar as where they have significant influences on generated trip volumes, and further intersection analysis is required to ensure that the ultimate road network impacts have been adequately considered across all scenarios.

Comment: Regarding Recommendation 6, Council Officers have requested the above additional information from the proponent and will address this component post-Gateway Determination on the basis the matter does not materially impact the overall conclusions of the traffic peer review report. Recommendations 1, 2 and 3 outline the following clarification and additional information should be submitted during the subsequent DA stages for the project to ensure site connectivity and traffic and parking impacts of future development is appropriately managed:

- *Recommendation 1 – Walking and cycling:* confirm safe and compliant connectivity to the surrounding network, and adequate internal provisions (i.e., bicycle parking, end of trip facilities etc.). A Green Travel Plan is recommended to be prepared with any DAs lodged.
- *Recommendation 2 – Public transport:* further stakeholder engagement will be required to ensure that the relocation of the bus interchange and creation of a transit only Jacob Street extension outcomes are consistent with the requirements of the subject site and TfNSW.
- *Recommendation 3 – Loading and logistics:* a Servicing Management Plan is to be prepared during subsequent DA stages to confirm the capacity of the existing loading dock to accommodate increased servicing demands generated by the proposed development, and the appropriateness of the existing loading dock to service the entire development safely and efficiently.

Comment: On the basis that recommendations 1, 2 and 3 raised in the peer review report can be resolved at the future DA stages of the project and have no consequential bearing on the assessment of the Planning Proposal, these matters will therefore not be pursued in this Planning Proposal as they relate to detailed design development beyond the higher level scope of this Planning Proposal stage of the project.

4.9 Economic implications

The Planning Proposal is supported by an economic analysis Market Depth Assessment and Retail Development Potential Assessment prepared by Urbis. Overall, the analysis suggests that a future retail redevelopment/expansion within the centre of the quantum proposed can be supported “within the next 10 years”. Further, the analysis concludes there is strong demand for residential apartments, short term accommodation, commercial offices and moderate demand for student accommodation.

The proposal will have significant direct and indirect economic implications on the Bankstown CBD and overall LGA by virtue of the magnitude of potential economic stimulation generated by redevelopment of the large 11.4ha site. The Planning Proposal has the capacity to deliver approximately 8,437 additional jobs when the site is fully redeveloped which is 60% of Council’s target of 14,000 new jobs in the Bankstown CBD by 2036 as outlined in the adopted Bankstown City Centre Master Plan.

The Planning Proposal indicates that it will also provide approximately 1,255 new dwellings which contributes 10% of the CBD’s target of 12,500 dwellings by 2036.

A peer review report prepared for Council by independent economic specialists which concludes that the economic analysis undertaken for the Planning Proposal is generally acceptable in context of the strategic policy direction of the State Government and Council for Bankstown CBD to 2036, however it recommends clarification is sought from the proponent prior to exhibition of the Planning Proposal. These clarifications include:

- Assess level of impact of proposed commercial office space on other centres in the LGA.
- Assess current commercial office stock and market to clarify underlying and developing demand and uptake of commercial stock.

- Consideration of existing short-term accommodation in the area and clarification of how catchment share estimates were calculated to establish visitor nights.
- Further details on the likely mix of tenancies in the proposed additional 15,041m² retail floor space.
- Refining student population numbers for the WSU Bankstown CBD campus and longer term targets within Council's LSPS.

Council will work with the proponent to address the above matters during the post-Gateway phase of the Planning Proposal as the clarifications do not materially impact the underlying assessment and conclusions reached by the peer review consultant report or its support for the Planning Proposal.

Council recognises the difficulties in establishing a definitive forecast for some industries such as retail and hotel uses given the COVID-19 pandemic and possible long term structural implications on spending and travel habits. The peer review report acknowledges the major uncertainties created by, and likely to flow from, the COVID-19 pandemic and recommends a flexible approach should be considered for the commercial floor space, in particular, to develop into other uses (dependent on demand and market up-take) but while *"still maintaining a sufficient level of non-residential floor space in order for Bankstown to develop into one of the largest strategic, administration centre in the Sydney's south-west"*. Council's approach to require a minimum 40% non-residential floor space across the site and minimum 50% non-residential floor space on the Town Centre Precinct does not mandate a particular retail, business or office premises use and therefore is consistent with this flexible approach recommended in the peer review report.

5. CONCLUSION

A detailed assessment of the application submitted to Council indicates the proposal demonstrates strategic and site specific merit as it would:

- Provide development capacity that is consistent with the strategic policy direction and vision for Bankstown CBD as the City's preeminent Strategic Centre as set out in Council's Local Strategic Planning Statement and the Bankstown Masterplan.
- Result in approximately 8,437 additional jobs which is 60% of Council's target of 14,000 new jobs in the Bankstown CBD by 2036 as outlined in the adopted Bankstown City Centre Master Plan.
- Allow the significant existing development capacity of the site to be refocussed towards the future Metro Station consistent with the height principles set out in the Bankstown Masterplan.
- Make the site more accessible to the public and integrated into the street network by adding a new road and pedestrian connections.
- Create a new public park to assist Council achieve its vision within the Bankstown Master Plan of all residents in Bankstown being within a 200m to 400m walking catchment of a green open space.
- Facilitate renewal of a site that is highly constrained by long term leases.
- Increase housing choice in Bankstown CBD by increasing the stock of "built to rent" and student housing.
- Deliver a range of increased building heights that will be consistent with the B4 Mixed Use Zoning of the site, its size, strategic location, and controls proposed for comparable sites within the CBD.

- Provide housing for approximately 2,500 new residents within the Bankstown CBD proximate to employment opportunities and high quality public transport infrastructure.
- Provide housing and jobs growth in a highly accessible location well served by existing and future planned public transport infrastructure.

Should the proposal proceed to Gateway, the assessment identifies the following key issues to be addressed prior to exhibition. This is critical to ensuring a successful urban outcome for the site and its surroundings.

- Finalise the planning mechanism within the BLEP 2015 to limit total residential floor space to maintain jobs and employment growth on the site and in the CBD.
- Prepare a draft site specific development control plan (DCP) to ensure a development outcome that is sympathetic to the character of the surrounding area. The preparation of the draft site specific DCP will be led by Council.
- Revised traffic and economic reports to provide clarification, further modelling and justification on certain technical aspects as identified in the peer reviews and comments from TfNSW.
- Continue dialogue with TfNSW to undertake traffic modelling to test appropriateness of the proponent's adopted car parking and traffic generation rates to inform the site specific DCP.
- Draft a Planning Agreement that delivers the required infrastructure to support the redevelopment of the site in a staged manner.

6. NEXT STEPS

With consideration of this report and the Local Planning Panel's advice, should Council decide to support the Planning Proposal progressing to Gateway, the next steps would be to seek a Gateway Determination from the Department of Planning and Environment.

If a Gateway is issued, further technical studies identified in this report, a draft DCP and planning agreement would be drafted, and all information exhibited.

Following consideration of public and State agency feedback and any additional supporting information submitted by the proponent, the Planning Proposal would be provided to Council for a final decision.

-END-

